Acts and Joint Resolutions

OF THE

GENERAL ASSEMBLY

OF THE

State of South Carolina

REGULAR SESSION OF 1965

First Part

of Fifty-fourth Volume of Statutes at Large

(The Acts and Joint Resolutions of 1966 will Constitute the Second Part)

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LEWIE GRIFFITH MERRITT
CODE COMMISSIONER

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The regular session adjourned *sine die* June 11, 1965.

In the parentheses to the left of the permanent numbers are two numbers of which this is an example: (R28, H1150). The first number is preceded by R in every instance, and the second number by either H or S. The R indicates the Ratification Number of the act; the H the House Number as a Bill and the S the Senate Number as a Bill.

Also published herein are rules and regulations issued pursuant to general and permanent laws and which have been filed in the office of the Secretary of State.

LEWIE GRIFFITH MERRITT,
Code Commissioner.

Columbia, S. C.,
August, 1965.

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247. AN ACT To Make Appropriations To Meet The Ordinary Expenses Of The State Government For The Fiscal Year Beginning July 1, 1965; To Regulate The Expenditure Of Funds Therefor; For Borrowing Money; Further Relating To The Operation Of The State Government During The Fiscal Year 1965-66; And To Enact As Permanent Laws Of The State Of South Carolina Measures To Amend The 1962 Code Of Laws Of South Carolina As Follows: To Amend Article 8, Of Chapter 5, Title 65 Relating To The Payment Of Income Tax By Providing For The Filing Of A Declaration Of Estimated Tax By Corporations And Payment Of Tax Thereon; To Repeal Sections 65-341, 65-352 And 65-353 Relating To The Payment Of Income Tax By Corporations; To Amend Sections 1-781 And 1-782 Relating To The Establishment Of A General Fund Reserve So As To Fix The Amount Of Such Reserve At $1,000,000.00; To Amend Sections 61-254 And 61-256 Relating To Retirement Pay Of Justices, Judges And Their Widows; To Amend Section 1-543 Relating To A Revolving Fund For Office Supplies For The State Budget And Control Board So As To Increase The Amount Of Such Fund; To Amend Title 3, Chapter 2, Article 4 Relating To The South Carolina Economic Poison Law So As To Allow Clemson University To Retain Fees Provided For In This Article; To Amend Section 22-56 So As To Extend The Provisions Thereof To Military Personnel Involved In The Korean Conflict; To Amend Section 15, Of Act No. 1100, Acts And Joint Resolutions Of South Carolina 1964 Relating To The Issuance Of Bonds And Notes For The Mental Health Commission And Whitten Village So As To Provide For Their Payment Prior To Stated Maturities, And To Repeal Section 7 Of Part II Of Act 829, Acts And Joint Resolutions Of 1964, Relating To The Amount Of The General Fund Reserve At The End Of 1964-65.—P. 330.

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257. AN ACT To Amend Section 47-671.1, Code Of Laws Of South Carolina, 1962, Relating To The Salaries Of The Mayor And Councilmen Of The City Of Sumter, So As To Provide For The Increase Of Such Salaries.—P. 464.

258. AN ACT To Amend Section 47-253, Code Of Laws Of South Carolina, 1962, Relating To Penalty, Lien And Other Methods Of Collecting Taxes In Municipalities, So As To Change The Period Of Time Over Which A Lien May Be Extended From "Three" To "Ten" Years In Municipalities Containing More Than Five Thousand Inhabitants.—P. 465.

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296. AN ACT To Amend The Code Of Laws Of South Carolina, 1962, By Adding Section 14-3666.1, So As To Authorize The Board Of Rural Fire Control Of York County To Employ An Executive Director.—P. 527.

297. AN ACT To Amend Section 32-1630 (1) (d), Code Of Laws Of South Carolina, 1962, Providing For The Right Of Appeal By The State Dairy Commission In The Matter Of Enforcement Of The Regulation Of Milk And Milk Products, So As To Provide That The Appeal Shall Be Heard On The Record; To Amend Section 32-1635 Of The Code Of 1962, Authorizing The State Dairy Commission To Fix Minimum Prices For Milk And Milk Products To Be Paid By Distributors In Controlled Markets, So As To Authorize The Commission To Further Regulate The Sale Of Milk And Milk Products On The Wholesale, Distributor And Producer Levels; To Amend Section 32-1640.2 Of The Code Of 1962, As Amended, Which Authorizes The State Dairy Commission To Assess A Penalty In Lieu Of Revoking Or Suspending A License, So As To Increase The Penalty; To Amend Section 32-1640.3 Of The Code Of 1962, Concerning Unfair And Illegal Practices In The Distribution Of Milk Or Milk Products, So As To Delete Therefrom Certain References To Selling, Advertising Or Offering To Sell, And Discrimination In Price; To Amend Section 32-1640.5 Of The Code Of 1962, Prohibiting Sale Below Cost, So As To Further Regulate Sale Of Milk Or Milk Products; And To Repeal Sections 32-1640.7 And 32-1640.8 Of The Code Of 1962, Providing An Effective Time Of Certain Laws Affecting The Milk Industry, And Providing For The Compuntation Of Costs Of Doing Business In Stores Handling Milk And Milk Products, And Subsection (4) Of Section 32-1640.3 Of The Code Of 1962.—P. 528.

298. AN ACT To Amend The Code Of Laws Of South Carolina, 1962, By Adding Section 47-252.3, To Permit The Town Of Summerville In Dorchester County To Levy An Annual Tax Not Exceeding Seventy-five Mills; And To Amend Section 47-245, Code Of Laws Of South Carolina, 1962, Relating To Tax Levies In The Towns Of Summerville And Winnsboro, So As To Remove The Town Of Summerville From The Provisions.—P. 533.

299. AN ACT To Amend Item (3) Of Section 65-225, Item (4) Of Section 65-226 And Section 65-365, Code Of Laws Of South Carolina, 1962, Relating To Income Taxation, So As To Eliminate The Income Test With Respect To An Exemption For A Dependent Who Is An Enrolled Student, To Exempt Employees' Credit Unions, And To Provide That The Tax Commission May Waive Certain Penalties; To Amend Section 65-1107, Code of Laws Of South Carolina, 1962, Relating To Gasoline Taxes, So As To Bar Certain Claims For Refunds For Gasoline Purchased For Watercraft; To Amend Sections 65-223.1, 65-259(8), 65-275, 65-453, 65-455, 65-465, 65-481 And 65-547, Code Of Laws Of South Carolina, 1962, As

Amended, And Act 944 Of 1964, All Of Which Relate To Taxation, So As To Adopt Amendments And Applicable Regulations As Of December 31, 1964, Relating To Certain Federal Internal Revenue Code Sections Adopted By Reference; And To Repeal Item (44) Of Section 65-1522, Code Of Laws Of South Carolina, 1962, Relating To Tax Exemptions For Building And Loan Associations.—P. 534.

300. AN ACT To Amend The Code Of Laws Of South Carolina, 1962, By Adding Section 16-359.4, So As To Afford A Defense In Some Circumstances To Actions Brought By Reason Of Having Been Delayed By A Merchant Or Merchant's Employee Or Agent To Investigate The Ownership Of Merchandise.—P. 537.

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302. AN ACT Designating The Division Of General Services Of The State Budget And Control Board As The State Agency For Surplus Property And Prescribing Its Powers, Duties And Functions.—P. 538.

303. AN ACT To Amend Sections 71-322, 71-323 And 71-326, Code Of Laws Of South Carolina, 1962, Relating To The Charleston County Public Welfare Board, So As To Further Provide Therefor; And To Repeal Sections 71-331, 71-332, 71-333, 71-333.1, 71-333.2 And 71-333.3, Code Of Laws Of South Carolina, 1962, Relating To Powers And Finances Of The Board.—P. 541.

304. AN ACT To Amend Section 15-275, Code Of Laws Of South Carolina, 1962, Relating To Terms Of Court In The Seventh Judicial Circuit, So As To Further Provide For The Terms Of The Court Of Common Pleas For Cherokee And Union Counties.—P. 543.

305. AN ACT To Amend Sections 65-3405.4, As Amended, 65-3405.8, 65-3405.9, As Amended, And 65-3405.12, As Amended, Code Of Laws Of South Carolina, 1962, Relating To The Powers And Duties Of The Charleston County Board Of Assessors, Appeals From The Tax Assessor And Limitation On Increased Revenue, So As To Further Provide Therefor, And To Prevent The Implementation Of The County Reassessment Program Until Authorized By The Legislature.—P. 544.

306. AN ACT To Amend Section 47-1692, Code Of Laws Of South Carolina, 1962, Limiting The Term For Which Extra Policemen On Special Occasions May Serve In The City Of Spartanburg, So As To Increase The Length Of The Term.—P. 549.

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308. AN ACT To Provide For The Transfer Of Stock In The Custody Of Clearing Corporations.—P. 550.

309. AN ACT To Authorize The State Of South Carolina, Its Agencies And Instrumentalities, Including Counties, School Districts, Municipalities, Special Purpose Districts And Authorities, To Effect The Refunding Of Outstanding Bonds Prior To Their Maturity Or Redemption Dates, And To Prescribe The Terms And Conditions Under Which Such Refunding May Be Effected.—P. 551.

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313. AN ACT To Amend Item (2) Of Section 15-286, Code Of Laws Of South Carolina, 1962, Relating To Terms Of Court In Beaufort County, So As To Further Provide Therefor.—P. 558.

314. AN ACT To Create The Darlington County Economic Opportunity Commission And To Prescribe Its Powers And Duties.—P. 559.

315. AN ACT To Amend Item (2) Of Section 15-266, Code Of Laws Of South Carolina, 1962, As Amended, Relating To The Terms Of Courts Of Common Pleas In The Fourth Judicial Circuit, So As To Provide For An Additional Term In Darlington County.—P. 562.

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318. AN ACT To Provide For A Referendum As To The Creation Of The Cherokee Springs Fire District In Spartanburg County And To Provide For Its Creation In The Event Of A Favorable Vote; To Provide For A Board Of Fire Control For The District; To Prescribe The Powers, Duties And Membership Of The Board; To Provide For Tax Levies; And To Provide Penalties For Certain Violations.—P. 565.

319. AN ACT To Amend Section 3-601, Code Of Laws Of South Carolina, 1962, Relating To The Definition Of Concentrated Commercial Feeding Stuffs, So As To Further Provide Therefor.—P. 568.

320. AN ACT To Amend Section 15-280, Code Of Laws Of South Carolina, 1962, As Amended, Relating To The Terms Of Circuit Courts In The Eleventh Judicial Circuit, So As To Further Provide For The Terms Of Court In Lexington And Saluda Counties.—P. 569.

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322. AN ACT To Amend Section 32-911, Code Of Laws Of South Carolina, 1962, Relating To Definitions Of Mentally Defective Persons, So As To Further Provide Therefor.—P. 570.

323. AN ACT To Create The Spartanburg County Planning And Development Commission; To Provide For Its Membership, Powers And Duties; To Provide For Its Operation; And To Repeal Article 34, Chapter 8, Of Title 14, Code Of Laws Of South Carolina, 1962, Relating To The Spartanburg County Planning And Development Commission.—P. 570.

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325. AN ACT To Create The Board Of Tax Appeals For Saluda County And To Provide For Its Membership, Powers And Duties.—P. 574.

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328. AN ACT To Amend Section 16-413, Code Of Laws Of South Carolina, 1962, Relating To Indecent Exposure, So As To Make It Unlawful For A Person To Maliciously Expose His Person To The View Of Any Person.—P. 577.

329. AN ACT To Amend Section 3 Of Act No. 766 Of 1964, Relating To Cancellation Of Automobile Liability Insurance Policies, So As To Correct A Typographical Error And To Further Provide Therefor.—P. 577.

330. AN ACT To Amend Section 16-145, Code Of Laws Of South Carolina, 1962, Relating To Carrying Concealed Weapons, So As To Delete Reference To Pistols; To Provide For Regulating Pistols And Prescribing Penalties; And To Repeal Section 16-144, Code Of Laws Of South Carolina, 1962, Relating To Pistols.—P. 578.

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337. AN ACT To Amend Section 47-407, Code Of Laws Of South Carolina, 1962, Relating To License Fees In Cities Of Over Seventy Thousand, So As To Make Such Section Inapplicable To Any City Whose Population Is Over Ninety Thousand.—P. 588.

338. AN ACT To Amend Section 65-802, Code Of Laws Of South Carolina, 1962, Imposing An Admissions Tax, So As To Restore The Provision Relating To That Portion Of The Tax Derived From Fishing Piers Deleted By Act No. 837 Of 1960.—P. 589.

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340. AN ACT To Amend Section 65-2289, Code Of Laws Of South Carolina, 1962, As Amended, Relating To Fees On Delinquent Tax Executions In Chesterfield County, So As To Provide For An Increased Fee When Property Is Advertised For Sale.—P. 592.

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342. AN ACT To Amend Section 32-931, Code Of Laws Of South Carolina, 1962, As Amended, Relating To State Mental Health Facilities; And To Amend The Code By Adding Section 32-977, So As To Make Special Provision For The William S. Hall Psychiatric Institute.—P. 600.

343. AN ACT To Prevent The Injury Of Competitors Or Destruction Of Competition To Producers Or Sellers Of Milk Or Milk Products By Prohibiting The Limitation Of Quantity Of A Product Sold Or Offered For Sale Where The Product Offered For Sale Or Sold Is For A Price Less Than The Cost Of Replacement. —P. 602.

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345. AN ACT To Provide A Civil Service System For The City Of Spartanburg In Spartanburg County.—P. 603.

346. AN ACT To Amend Sections 8-587, 8-588, 8-592, 8-593, 8-595, 8-598, 8-599.1 And 8-599.3, Code Of Laws Of South Carolina, 1962, Relating To Common Trust Funds, So As To Define Terms, To Provide For Certain Investments By Trust Institutions And To Regulate Such Investments And To Amend The Code Of Laws Of South Carolina, 1962, By Adding Sections 8-592.1 And 8-592.2 To Regulate Investments In Common Trust Funds.—P. 608.

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348. AN ACT To Exempt Property Of Central TB And Health Association, In Columbia, From All Taxes.—P. 613.

349. AN ACT To Empower Municipalities Exercising The Power To Construct And Operate Sewage Collection And Disposal Facilities To Impose And Enforce The Payment Of Sewer Service Charges; To Contract With Public Or Private Agencies Operating Water Systems For The Collection Of Sewer Charges; To Adopt And Enforce Ordinances Requiring Property In The Municipality To Connect To And Use The Municipal Sewage Collection Facilities And Regulating Generally The Use Of Sewage Facilities; To Impose Front Foot Assessments Against Property Abutting Its Sewer Lines; And To Make Unpaid Sewer Charges A Lien Against The Property Served.—P. 614.

350. AN ACT To Provide Supplemental Appropriations For Operation Of Certain State Agencies For The Fiscal Year 1964-65; To Further Regulate The Expenditure Of Funds Therefor; To Authorize The Issuance Of State Notes Not In Excess Of $500,000.00 For The Construction Of Expanded Facilities For The Riverside School For Girls At A New Location; To Authorize The Issuance Of Notes In The Sum Of $200,000.00 By The South Carolina State College For The Construction Of Additional Facilities; To Validate Action Of The State Budget And Control Board In Refinancing Indebtedness Incurred For The South Carolina Department Of Corrections; To Amend Section 9, Part II, Act No. 284, Acts Of 1963, By Increasing By $1,000,000.00 The Amount Authorized For A New Facility For Retarded Children; To Amend Section 1-467, Code Of Laws Of

South Carolina, 1962, By Extending The Provisions Thereof To All State Correctional Institutions; To Allow Certain Former Constitutional Officers To Continue As Members Of The South Carolina Retirement System; And To Amend Section 61-105, Code Of Laws Of South Carolina, 1962, As Amended, Relating To Service Retirement Allowances, So As To Allow Certain Nonmembers Who Have Passed The Mandatory Age Of Retirement To Qualify For Such Retirement Allowances; To Amend Section 6, Of Act No. 821, Acts Of 1956, As Amended, Relating To The Security Pledged For The Payment Of Obligations Of The State Ports Authority; And Further Relating To The Fiscal Affairs Of The State Of South Carolina.—P. 622.

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352. AN ACT To Amend Sections 22-353 And 22-354, Code Of Laws Of South Carolina, 1962, Relating To The Board Of Trustees Of The Medical College Of South Carolina And Election Of Its Members, So As To Increase The Number Of Members Of The Board; To Provide That Certain Members Shall Represent Certain Areas And Professions; To Terminate The Terms Of Office Of The Present Members Of The Board, Establish The Terms Of Their Successors And Provide That No Member Of The Board Shall Be Elected Who Has Reached Seventy-Two Years Of Age But A Member May Continue To Serve After Reaching His Seventy-Second Birthday Until The Expiration Of His Term.—P. 639.

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355. AN ACT To Amend Section 59-245, Code Of Laws Of South Carolina, 1962, Relating To The Petition Prerequisite To Election For Construction Of Municipal Utilities, So As To Require Twenty-Five Per Cent Of The Resident Freeholders To Sign Such Petition.—P. 642.

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360. AN ACT To Authorize Cities With A Population Between Forty-Two Thousand And Sixty Thousand To Provide By Ordinance For The Cleaning Of Lots Or Properties And To Provide For Liens Under Certain Conditions.—P. 648.

361. AN ACT To Amend An Act Of 1965 Bearing Ratification No. 227, Relating To The Florence County Economic Opportunity Commission, So As To Increase Its Membership.—P. 649.

362. AN ACT To Amend Article 18, Chapter 7, Title 46, Code Of Laws Of South Carolina, 1962, Relating To Inspection Of Vehicles, So As To Further Provide Therefor; To Provide For Vision Examinations Before Drivers' Licenses May Be Renewed; To Amend Section 46-155, Relating To Beginners' Driving Permits,

So As To Provide A Fee Therefor; To Amend Section 46-163, Relating To Drivers' Licenses, So As To Increase The Fee And To Provide For A Colored Photograph; To Amend Section 46-169, Relating To Expiration And Renewal Of Licenses, So As To Further Provide Therefor; And To Provide For Penalties; And To Amend Section 21-839, Code Of Laws Of South Carolina, 1962, As Amended, Relating To The Jurisdiction Of School Bus Drivers, So As To Further Provide Therefor; And To Provide For Driver Education Courses.—P. 649.

363. AN ACT To Amend Section 47-634, Code Of Laws Of South Carolina, 1962, Relating To The Salaries Of The Mayor And Commissioners Of The City Of Camden, So As To Increase Such Salaries.—P. 658.

364. AN ACT To Authorize Increases In Annual Salaries Of The Mayor And Councilmen Of The City Of Rock Hill In York County Pursuant To A Request Contained In A Unanimously Adopted Ordinance Of The City.—P. 658.

365. AN ACT To Authorize The Clerk Of Court Of Chesterfield County To Remove And Store Old, Out-Of-Date Real Estate Mortgages, Bonds For Title, Tax Liens And Indictments.—P. 659.

366. AN ACT To Create The Columbia Music Festival Commission.—P. 660.

367. AN ACT To Create The Barnwell County Historic Preservation Commission, And To Prescribe Its Powers And Duties.—P. 660.

368. AN ACT To Amend Act No. 243 Of The Acts Of 1963, As Amended, Relating To The Piedmont Technical Education And Training District And The Piedmont Technical Education Commission, So As To Further Provide For The District, The Commission And The Cost Of Construction Of The Center And The Site.—P. 663.

369. AN ACT To Permit Members Of The General Assembly To Draw Retirement Benefits Under Certain Conditions.—P. 665.

370. AN ACT To Amend Section 43-521, Code Of Laws Of South Carolina, 1962, Relating To Magistrates And Constables In Allendale County, So As To Further Provide Therefor And To Extend The Terms Of Certain Magistrates.—P. 665.

371. AN ACT To Create The Pioneer Rural Water District Of Oconee And Anderson Counties And To Prescribe Its Area And Functions; To Provide For Its Governing Body, Its Terms, Powers And Duties; And To Provide Penalties.—P. 667.

372. AN ACT To Provide For A County Board Of Health For Abbeville County.—P. 674.

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375. AN ACT To Amend Section 21-331, Code Of Laws Of South Carolina, 1962, Relating To The Conveyance Of Abandoned School Buildings, So As To Provide For The Disposition Of Such Buildings When There Is No Demand For Them.—P. 678.

376. AN ACT To Amend Act No. 166 Of 1963 Relating To Keeping Vicious Dogs In Beaufort County, So As To Include Newberry, Oconee, And Clarendon Counties. P. 679.

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379. AN ACT To Amend Act 704 Of 1964, Relating To Nonresident Fishing Licenses For The Catching Of Shad Fish In The Savannah River, So As To Require A License For Each Shad Net And A License For A Nonresident Operator Of Such Net.—P. 682.

380. AN ACT Making It Unlawful To Make Or Possess Any Device Which Can Be Used To Violate Section 16-565.1 Or Which Is Designed To Conceal From Any Telecommunication Company The Origin Or Destination Of Any Telecommunication, And Authorizing The Issuance Of Search Warrants To Seize Such Devices. —P. 682.

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382. AN ACT To Authorize The State Commission Of Forestry To Expend Certain Moneys For Scrub Oak Eradication, Reforestation, Timber Stand Improvement And Harvest Cutting On The State Parks Of South Carolina.—P. 684.

383. AN ACT To Amend Section 70-101, Code Of Laws Of South Carolina, 1962, Relating To Water Pollution Control, So As To Define "Authority", "Air Contaminant", "Sources" And "Undesirable Levels"; To Amend Section 70-103, Code Of Laws Of South Carolina, 1962, Relating To Water Pollution Control Authority Of South Carolina, So As To Change The Name Of The Authority To Pollution Control Authority Of South Carolina; To Amend Section 70-107, Code Of Laws Of South Carolina, 1962, Relating To Control Of Pollution Of Water, So As To Provide For The Control Of Pollution Of The Air Of The State; To Amend Section 70-108, Code Of Laws Of South Carolina, 1962, Relating To Rules And Regulations Of The Authority, So As To Limit Rules And Regulations That May Be Made Pertaining To Air Contamination; To Vest The Authority With Certain Powers, Duties And Functions In The Control Of Harmful Aerial Waste So As To Protect The Purity Of The Air Of This State; And To Provide An Appropriation Therefor.—P. 687.

384. AN ACT Requiring The Names And Addresses Of All Prosecuting Witnesses, Defendants And Sureties On Warrants And Recognizances In York County.—P. 692.

385. AN ACT To Amend Section 46-436, Code Of Laws Of South Carolina, 1962, Relating To Pedestrians Walking On Roadways, So As To Further Define The Manner In Which Pedestrians Shall Walk Upon Roadways.—P. 692.

386. AN ACT To Provide For Cooperation And Contract Procedures Between Municipalities And Municipalities And Sewage Districts; To Authorize The Issuance Of Bonds And To Confirm The Right To Collect Certain Fees.—P. 693.

387. AN ACT To Authorize The Clerk Of Court Of Aiken County To Remove Or Destroy Certain Chattel Mortgages.—P. 700.

388. AN ACT To Amend The Code Of Laws Of South Carolina, 1962, By Adding Section 21-3711.4, So As To Provide That The Trustees Of School District No. 6 In Orangeburg County Shall Be Elected By The Electors Of The Entire District. —P. 700.

389. AN ACT To Redefine The Territorial Limits Of The School District Of Aiken County; To Redefine Its Powers And Functions And Its Relation, For School Purposes, To Those Sections Of Saluda And Edgefield Counties Set Forth In Section 21-131, Code Of Laws Of South Carolina, 1962; To Validate An Election Held In The School District Of Aiken County On May 18, 1965, Resulting Favorably To The Issuance Of Three Million Dolllars Of General Obligation Bonds Of The School District; And To Authorize The Issuance Of Such Bonds.—P. 701.

390. AN ACT To Amend Section 21-1031, Code Of Laws Of South Carolina, 1962, Relating To The Aiken County Board Of Education, So As To Increase The Membership And Provide For Additional Election Districts.—P. 707.

391. AN ACT To Amend Section 28-861, Code Of Laws Of South Carolina, 1962, Relating To The Area For Trawling For Shrimp From March Fifteenth To December Fifteenth, So As To Change The Area In Beaufort County.—P. 708.

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528. AN ACT To Amend Act No. 1163 Of 1964, Relating To The Hanahan Public Service District In Berkeley County And The Issuance Of General Obligation Bonds By It, So As To Increase The Amount Of Such Bonds, And To Enlarge The Powers Of The District So As To Permit Front Foot Assessments Against Property Abutting Sewer Lateral Lines.—P. 1024.

529. AN ACT Providing For The Creation Of Watershed Conservation Districts In Berkeley County And The Election Of Directors, Their Powers And Duties; And Providing For A Levy Of Taxes For The Organization And Administration Of The Districts And For The Construction, Operation And Maintenance Of Works Of Improvement Within The Districts.—P. 1030.

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531. AN ACT To Provide For The Levy Of Taxes For General County Purposes And To Provide For The Levy Of Taxes For School Purposes For Berkeley County For The Fiscal Year Beginning July 1, 1965; To Direct The Expenditures For General County Purposes; To Authorize The Borrowing Of Monies For School And County Purposes; And To Provide For The Administration Of The Business Of Berkeley County.—P. 1042.

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533. AN ACT To Provide For The Levy Of Taxes For Ordinary County And School Purposes For Calhoun County For The Fiscal Year 1965-1966, And For The Expenditures Thereof; And To Provide For Any And All Matters Pertaining To The Affairs Of The County.—P. 1052.

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535. AN ACT To Authorize St. Andrews Public Service District, Charleston County, To Issue Not Exceeding Five Million Dollars Of Bonds Of The District To Provide Funds For Sewage Collection, Treatment And Disposal Facilities For The District; To Prescribe The Conditions Under Which The Bonds Shall Be Issued And To Make Provisions For The Payment Of The Bonds.—P. 1064.

536. AN ACT To Amend Act 521 Of 1957, As Amended, Relating To The North Charleston Consolidated Public Service District Commission, So As To Provide For The Election Of A Vice Chairman And To Provide For The Method By Which The Proceeds Of A Tax Levy May Be Paid Out By The Commission.—P. 1068.

537. AN ACT To Amend Act No. 443 Of 1949, As Amended, Relating To The St. Andrews Public Service District, Charleston County, So As To Enlarge And Redefine The Powers Of The St. Andrew's Public Service District; To Empower The District To Impose And Enforce The Payment Of Sewer Service Charges; To Empower The District To Make Unpaid Sewer Charges A Lien Against The Property Served; To Empower The District To Adopt And Enforce Regulations Requiring Property In The District To Connect To And Use The District's Sewage Collection Facilities And Regulating Generally The Use Of The Public Sewage Facilities; And To Empower The District To Impose Front Foot Assessments Against Property Abutting Its Sewer Lines.—P. 1070.

538. AN ACT To Amend Section 5 Of Act No. 521 Of 1957, As Amended, Relating To The North Charleston Consolidated Public Service District, So As To Empower The District To Prescribe Certain Additional Regulations.—P. 1078.

539. AN ACT To Amend An Act Of 1965 Bearing Ratification No. 353, Relating To The St. Andrews Public Service District, Charleston County, So As To Change The Date Of An Act From 1957 To 1949.—P. 1078.

540. AN ACT To Authorize The County Council Of Charleston County To Issue General Obligation Notes Of The County For Technical Education In The Sum Of Ninety-Five Thousand Dollars And To Provide For The Payment Thereof.—P. 1079.

541. AN ACT To Authorize The Sullivan's Island Township Commissioners In Charleston County To Issue Not Exceeding One Million Dollars General Obligation Bonds For Sewage Facilities And To Provide For An Election.—P. 1082.

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547. AN ACT To Extend The Season For Hunting Rabbit, Raccoon, Opossum And Squirrel In Chester County To March 1, 1965.—P. 1103.

548. AN ACT Providing For The Creation Of Watershed Conservation Districts In Chester County, And The Election Of Directors Of Watershed Conservation Districts And Their Powers And Duties; And Providing For A Levy Of Taxes For The Organization And Administration Of Such Districts, And For The Construction, Operation And Maintenance Of Works Of Improvement Within Such Districts.—P. 1103.

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551. AN ACT To Provide Supplemental Appropriations For Chester County For The Year 1964-1965.—P. 1114.

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555. AN ACT To Create The Deep Creek Watershed Conservation District In Chesterfield County; To Provide For The Election Of Its Directors And To Define Their Powers And Duties; And To Provide For A Tax Levy To Defray The Cost Of Organizing And Administering The District And For The Construction, Operation And Maintenance Of The Improvements To Be Provided Within The District; And To Provide For Various Elections.—P. 1128.

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557. AN ACT To Provide For The Levy Of Taxes For Ordinary And Other County Purposes For The Fiscal Year Beginning July 1, 1965, And Ending June 30, 1966; To Appropriate Monies For The Operation Of The County Government Of Chesterfield County During The Fiscal Year And To Further Regulate The Administration Of The County Government Of Chesterfield County And To Provide For The Collection Of Certain Fees In The Windsor Park Sewerage System.—P. 1139.

558. AN ACT To Provide For The Levy Of Taxes For Ordinary County And Road Purposes For Clarendon County For The Year Beginning July 1, 1965; To Provide For The Expenditure Of Such Taxes And Of Other County Revenues Collected During The Fiscal Year Ending June 30, 1966; To Authorize The Officers Of The County To Borrow Money In Anticipation Of Collection Of County And School District Taxes For The Year 1965 And Previous Years; To Provide For The Transfer Of Unexpended Monies To The General Fund; And Otherwise Relating To The Affairs Of The County And The School Districts Thereof.—P. 1152.

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560. AN ACT To Provide That Colleton County May Borrow Up To One Hundred Fifty Thousand Dollars For General County Purposes And To Provide For The Payment Of The Loan.—P. 1164.

561. AN ACT To Validate And Confirm A Deed Of Conveyance From The Walterboro-Colleton County Airport Commission To The Colleton Industrial Corporation, Incorporated, Dated February 23, 1965, And Recorded In The Office Of The Clerk Of Court For Colleton County On March 3, 1965.—P. 1164.

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567. AN ACT To Authorize The Treasurer Of Colleton County To Borrow Not Exceeding One Hundred Thousand Dollars For School And Ordinary County Purposes, And To Provide For The Payment Of The Loan.—P. 1169.

568. AN ACT To Provide For The Levy Of Taxes For County And School Purposes For Colleton County For The Year Beginning January 1, 1965, And The Expenditure Thereof During The Fiscal Year July 1, 1965, To June 30, 1966, And Pertaining To The Fiscal Affairs Of The County.—P. 1169.

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571. AN ACT To Make Supplemental Appropriations For Technical Education Purposes For Darlington County's Share Of The Operating Budget For The Florence-Darlington Technical Center; To Provide For The Expenditures Thereof; And To Provide For The Levy Of A Sufficient Tax To Supply The Sum Appropriated Herein.—P. 1182.

572. AN ACT To Provide For A Referendum In The Town Of Lamar In Darlington County As To The Issuance Of General Obligation Bonds In The Amount Of Two Hundred Fifty Thousand Dollars; To Provide For Their Issuance, Should The Vote Be Favorable, For The Purpose Of Improving And Expanding Its Waterworks System; And To Provide For Payment Of The Bonds.—P. 1182.

573. AN ACT To Appropriate A Sum Of Money For Educational Purposes In Darlington County For The Fiscal Year 1965-66; To Provide For The Expenditure

Of The Sum And Other Funds; To Provide For The Levy Of A Tax Sufficient To Pay The Sum Appropriated Herein; To Require The Submission Of A Budget By The Board Of Trustees Of Darlington County School District; And To Provide A Supplement Income.—P. 1185.

574. AN ACT To Provide Funds For The Economic Opportunity Commission, County Board Of Registration And Survey And Planning For Darlington County.—P. 1187.

575. AN ACT To Authorize The Lake Bank Of The City Of Lake View, County Of Dillon, To Transfer Certain County Funds To The Mayor Of Lake View.—P. 1188.

576. AN ACT To Authorize The Board Of School Trustees Of The Latta District No. 3, In Dillon County, To Issue Not Exceeding Three Hundred Twenty-five Thousand Dollars Of General Obligation Bonds Of The District; To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which Their Proceeds May Be Expended; And To Make Provision For The Payment Of The Bonds.—P. 1189.

577. AN ACT To Authorize The Board Of School Trustees Of The Lake View District No. 1, in Dillon County, To Issue Not Exceeding Three Hundred Thousand Dollars Of General Obligation Bonds Of The District; To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which Their Proceeds May Be Expended; And To Make Provision For The Payment Of The Bonds.—P. 1191.

578. AN ACT To Authorize The Board Of School Trustees Of The Dillon District No. 2, In Dillon County, To Issue Not Exceeding Eight Hundred Thousand Dollars Of General Obligation Bonds Of The District; To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purpose For Which Their Proceeds May Be Expended; And To Make Provision For The Payment Of The Bonds.—P. 1193.

579. AN ACT To Amend Act 500 Of 1963, Relating To The Borrowing Of Money By School District No. 1 Of Dillon County, So As To Permit The Trustees To Renew The Notes Evidencing The Debt.—P. 1196.

580. AN ACT To Authorize And Empower The Respective Boards Of School Trustees Of Lake View School District No. 1, Dillon School District No. 2, And Latta School District No. 3, In Dillon County To Issue General Obligation Bonds Of Such Districts In Order To Pay Existing Indebtedness, To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which Their Proceeds May Be Expended And To Make Provision For The Payment Of The Bonds, And To Repeal Acts Of 1965 Bearing Ratification Nos. 129, 130 And 131, Relating To Bond Issues Of Latta School District No. 3, Dillon School District No. 2 And Lake View School District No. 1.—P. 1196.

581. AN ACT To Authorize And Empower The County Board Of Education Of Dillon County To Issue General Obligtion Bonds Of Dillon County To Provide Additional Public School Facilities In The County, To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which Their Proceeds May Be Expended, And To Make Provision For The Payment Of The Bonds.—P. 1201.

582. AN ACT To Provide For The Levy Of Taxes For County And School Purposes Of The County Of Dillon For The Fiscal Year Beginning July 1, 1965, And Ending June 30, 1966; To Provide For The Expenditure Thereof; And To Prescribe The Duties Of Certain County Officers.—P. 1205.

583. A JOINT RESOLUTION Proposing Amendments To Section 5 Of Article X Of The Constitution Of South Carolina, 1895, Relating To The Limit Of Bonded

Indebtedness Of Certain Political Subdivisions, So As To Permit School Districts Nos. 1, 2 And 3 Of Dorchester County To Incur Bonded Indebtedness Up To Fifteen Per Cent Of The Assessed Value Of The Taxable Property Therein. P. 1218.

584. AN ACT Providing For The Creation Of Watershed Conservation Districts In Dorchester County, And The Election Of Directors Of Watershed Conservation Districts And Their Powers And Duties; And Providing For A Levy Of Taxes For The Organization And Administration Of Such Districts, And For The Construction, Operation And Maintenance Of Works Of Improvement Within Such Districts.—P. 1220.

585. AN ACT To Authorize The Trustees Of Dorchester County School District No. 2 To Borrow Not Exceeding One Hundred Ninety Thousand Dollars To Be Used For School Purposes, And To Provide For The Payment Of Such Loan.—P. 1230.

586. AN ACT To Authorize The Governing Body Of Dorchester County To Borrow Not Exceeding Three Hundred Fifty Thousand Dollars For The Construction Of County Roads; To Provide That The Roads Shall Be Constructed By The State Highway Department Pursuant To A Contract Of Reimbursement To Be Made Between The Governing Body And The State Highway Department; And To Provide For The Payment Of The Loan.—P. 1231.

587. AN ACT To Authorize The Closing Of A Dirt Road In Dorchester County.—P. 1234.

588. AN ACT To Create The Dorchester County Water Authority; To Provide For Its Governing Body And Define Its Powers And Duties; And To Prohibit Municipalities Or Other Agencies From Extending Present Water Systems Without Prior Approval.—P. 1235.

589. AN ACT To Provide For The Levy Of Taxes For Ordinary, School And General County Purposes For Dorchester County For The Fiscal Year Beginning July 1, 1965, And Ending June 30, 1966, And To Direct And Provide For The Expenditure Thereof; And To Otherwise Provide For The Fiscal Affairs And The Administration Of The Business Of Dorchester County.—P. 1241.

590. AN ACT To Authorize The Treasurer Of Dorchester County To Borrow Thirty-Three Thousand Dollars To Be Utilized For The Construction Of A New Building For The Berkeley-Charleston-Dorchester Technical Education Training Center.—P. 1251.

591. AN ACT To Amend An Act Of 1965, Bearing Ratification No. 174, Relating To The Creation Of Watershed Conservation Districts In Dorchester County, So As To Further Provide Therefor.—P. 1251.

592. AN ACT To Transfer The Sum Of Five Thousand Dollars From The General Fund Of Edgefield County To The Contingent Fund.—P. 1253.

593. AN ACT To Provide For The Levy Of Taxes For Ordinary County Purposes In Edgefield County For The Fiscal Year Beginning July 1, 1965; To Provide For The Expenditure Thereof.—P. 1254.

594. AN ACT To Authorize The Fairfield Memorial Hospital Board In Fairfield County To Borrow One Hundred Thousand Dollars To Be Used For Hospital Purposes And To Provide For The Payment Thereof.—P. 1260.

595. AN ACT To Extend The Season For Hunting Rabbits And Squirrels In Fairfield County To March 1, 1965.—P. 1261.

596. AN ACT Providing For The Creation Of Watershed Conservation Districts In Fairfield County, And The Election Of Directors Of Watershed Conservation Districts And Their Powers And Duties; And Providing For A Levy Of Taxes For The Organization And Administration Of Such Districts, And For The Construction, Operation And Maintenance Of Works Of Improvement Within Such Districts.—P. 1262.

597. AN ACT To Remove A Portion Of Road S-20-301 In Fairfield County From The State Highway System, And To Provide For Its Closing.—P. 1272.

598. AN ACT To Authorize The Governing Body Of Fairfield County To Borrow Forty Thousand Dollars For Improvements To The Courthouse And To Provide For The Payment Of The Loan.—P. 1272.

599. AN ACT To Provide For The Levy Of Taxes For Ordinary County Purposes And For Support Of The County Stockade For Fairfield County For The Fiscal Year Beginning July 1, 1965, And Ending June 30, 1966, And For The Expenditure Thereof.—P. 1273.

600. AN ACT To Authorize The Board Of Trustees Of School District No. 2 Of Florence County To Issue General Obligation Bonds Of The School District In An Amount Not Exceeding Two Hundred Thirty-Six Thousand Dollars, To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which Their Proceeds May Be Expended, And To Make Provision For The Payment Of The Bonds.—P. 1285.

601. AN ACT To Appropriate The Sum Of Ninety-Four Thousand Four Hundred Seventeen Dollars To Be Used For School Purposes In Florence County For The Fiscal Year 1965-1966; To Provide For A Tax Levy To Raise Such Sum; To Authorize The County Board Of Education To Borrow Money In Anticipation Of This Tax Levy; To Require School Trustees To Prepare A Budget Of School Expenses; To Prohibit Expenditures In Excess Of Such Budgets; And To Make Appropriations For The Florence County Library.—P. 1288.

602. AN ACT To Amend An Act Of 1965 Bearing Ratification No. 449, Relating To Appropriations For School Purposes In Florence County For The Fiscal Year 1965-1966, So As To Further Provide For An Appropriation For The Florence County Library.—P. 1290.

603. AN ACT To Authorize The Board Of Trustees Of School District No. 1 Of Florence County To Borrow Not To Exceed The Sum Of Two Hundred Fifty Thousand Dollars For The Purchase And Improvement Of School Sites And To Provide For The Payment Thereof.—P. 1291.

604. AN ACT To Make Appropriations For Ordinary County Purposes For Florence County For The Fiscal Year Beginning July 1, 1965, And Ending June 30, 1966; To Provide For The Expenditure Thereof; To Levy A Tax For The Payment Therefor; And To Validate Certain Actions; To Amend Sections 14-1967 And 14-1968, Code Of Laws Of South Carolina, 1962, Relating To Salaries And Fees In Florence County, So As To Further Provide Therefor; And To Add Sections 14-1968.1 Through 14-1968.5 To The Code Of Laws Of South Carolina, 1962, So As To Further Provide For Compensation Of Officers And Employees, To Provide For Numbering Of Documents Or Papers, To Provide For Payment Of Certain Fees, To Provide Penalties For Violations, And To Authorize The Sheriff To Retain Two Confiscated Motor Vehicles.—P. 1292.

605. AN ACT To Ratify And Affirm A Conveyance From Georgetown County To R. D. Price And J. P. Price.—P. 1311.

606. AN ACT To Amend Act No. 462 Of 1935, Relating To The Establishment And Maintenance Of Obstructions Across Certain Creeks In Georgetown County, So As To Include Brookgreen Creek Within The Provisions.—P. 1311.

607. AN ACT Authorizing And Directing The County Board Of Commissioners Of Georgetown County To Purchase And Convey Certain Property To The International Paper Company.—P. 1312.

608. AN ACT To Authorize Georgetown County To Borrow Not Exceeding Three Hundred Thousand Dollars For Renovating The County Courthouse And To Provide For The Payment Of The Loan.—P. 1313.

609. AN ACT To Authorize Georgetown County To Transfer Certain Property.—P. 1314.

610. AN ACT To Provide For The Levy Of Taxes For Schools, Roads And Other County Purposes In Georgetown County For The Fiscal Year Beginning July 1, 1965, Through June 30, 1966; To Provide For The Expenditure Thereof; To Set The Limits Of Certain Waters In The County; And To Provide For Certain Fiscal Affairs Of The County.—P. 1315.

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612. AN ACT Changing The Name Of "Marietta Water District" In Greenville County To "Marietta Water, Fire, Sanitation And Sewer District".—P. 1321.

613. AN ACT To Amend Act No. 1239 Of 1964, Relating To The Creation Of The Stroud Memorial Hospital District In Greenville County, So As To Redefine The Area Of The District, The Powers And Functions Of The District And Its Governing Commission, And The Purposes For Which The Bonds Of The District May Be Issued.—P. 1322.

614. A JOINT RESOLUTION Authorizing The Commissioners Of Parker Water And Sewer Sub-District Of The Greater Greenville Sewer District To Reimburse Mr. And Mrs. T. J. Thompson For Damages Not Exceeding Two Thousand Five Hundred Dollars.—P. 1324.

615. AN ACT To Ratify, Confirm And Approve The Sale Of Certain Land By Greenville Municipal Airport Commission To Crosrol Carding Developments, Inc.—P. 1325.

616. An Act To Authorize Greater Greenville Sewer District Commission To Issue General Obligation Bonds Of Greater Greenville Sewer District In The Principal Amount Of Not Exceeding Two Million Five Hundred Thousand Dollars, To Prescribe The Purposes For Which The Bonds Shall Be Used, The Terms And Conditions Upon Which The Bonds Shall Be Issued And To Make Provision For The Payment Of Such Bonds.—P. 1325.

617. AN ACT To Amend Act No. 1099 Of 1958, As Amended, Relating To Taylors Water And Sewer District In Greenville County, So As To Add Additional Territory And To Provide For Issuance Of General Obligation Bonds Not To Exceed Twenty-Five Thousand Dollars Without An Election.—P. 1329.

618. AN ACT To Ratify The Action Of The County Board Of Commissioners Of Greenville County In Issuing An Aggregate Total Amount Of Six Hundred Thousand Dollars Of Bonds Authorized By Acts Nos. 1241 And 1243 Of 1964, And To Declare Such Bonds Valid And Binding Obligations Of Greenville County.—P. 1332.

619. AN ACT To Permit The Commissioners Of Greater Greenville Sewer District To Accept A Portion Of Gantt Water And Sewer District.—P. 1333.

620. AN ACT To Amend Act No. 559 Of 1951., Relating To Mauldin-Simpsonville-Fountain Inn Water District Commission, So As To Enlarge And Further Define Its Powers.—PP. 1334.

621. AN ACT To Make Provision For The Establishment Of Sewer Service In A Portion Of The Special Purpose District In Greenville County Now Known As Berea Water And Sewer District; To Provide That Such Portion Shall Become A Part Of Greater Greenville Sewer District And A Subdistrict Of Greater Greenville Sewer District; To Provide A Governing Commission For The Subdistrict And To Define Its Powers; To Provide For The Issuance Of Not Exceeding Three Million Dollars Of Bonds Of Berea Sewer Subdistrict; To Authorize The Issuance Of Bonds Of Greater Greenville Sewer District To Provide Funds With Which To Purchase Bonds Of Berea Sewer Subdistrict; To Describe The Terms And Conditions Under Which The Bonds May Be Issued, The Purposes For Which Their Proceeds May Be Expended; To Make Provision For Their Payment; To Remove From The Functions Of Berea Water And Sewer District The Function Of Providing Sewer Service Therein; And To Change The Name Of Berea Water And Sewer District To Berea Public Service District.—P. 1335.

622. AN ACT To Enlarge The Powers Of Greater Greenville Sewer District And All Special Purpose Districts In Greenville County Whose Functions Include The Operation And Maintenance Of Sewer Systems, And To Authorize Them To Enter Into Contracts By Which Greater Greenville Sewer District Shall Assume The Operation And Maintenance Of Sewer Systems In Such Special Purpose Districts.—P. 1348.

623. AN ACT To Enlarge The Powers And Functions Of Taylor's Water And Sewer District In Greenville County; To Authorize The Issuance Of Two Million Five Hundred Thousand Dollars Of General Obligation Bonds Of The District To Raise Moneys For The Construction Of A System For The Collection, Treatment And Disposal Of Sewage; To Prescribe The Terms And Conditions Under Which The Bonds Shall Be Issued; And To Make Provision For The Payment Of The Bonds.—P. 1350.

624. AN ACT To Amend Act No. 1239 Of 1964, As Amended, Relating To The Creation Of The Stroud Memorial Hospital District In Greenville County, So As To Further Define The Area, Powers And Functions Of The District And Its Governing Commission.—P. 1360.

625. AN ACT To Amend Act No. 389 Of The Acts And Joint Resolutions Of The General Assembly Of 1955, As Amended By Act No. 449 Of 1963, Making Provision, *Inter Alia*, For Borrowings By The Piedmont Sewer And Light District Of Anderson And Greenville Counties, Including The Issuance Of Not Exceeding Two Hundred Thousand Dollars Of General Obligation Bonds Of The District, So As To Provide For Issuance Of Not Exceeding Three Hundred Forty Thousand Dollars Of General Obligation Bonds Of The District.—P. 1362.

626. AN ACT To Create Greenville Hospital System District In Greenville County; To Define Its Functions And Powers; To Provide A Governing Agency Therefor; To Authorize The Greenville General Hospital Board Of Trustees To Convey, Without Consideration, Its Properties To The District; To Provide For The Dissolution Of The Greenville General Hospital Board; And To Authorize The District To Issue General Obligation Bonds To Provide Additional Hospital Facilities, Prescribe The Terms And Conditions Under Which The Bonds May Be Issued And Make Provision For Their Payment.—P. 1364.

627. AN ACT To Provide For The Levy Of Property Taxes In Greenville County For County, School And Road Purposes For The Fiscal Year Beginning July 1, 1965, And Ending June 30, 1966, To Appropriate The Revenues Therefrom And The Income From All Other Available Sources Of County Revenues, And To Direct And Control The Expenditures Thereof.—P. 1374.

628. AN ACT To Authorize The Board Of Trustees Of School District No. 52 Of Greenwood County To Borrow Not Exceeding Six Hundred Thousand Dollars; To Specify The Use Of The Money Borrowed; And To Provide For Its Repayment.—P. 1397.

629. AN ACT To Amend Act No 1255 Of 1964. Authorizing The, Finance Board Of Greenwood County To Issue General Obligation Bonds In The Amount Of Not Exceeding One Million Five Hundred Thousand Dollars, So As To Provide That The Board Shall Prescribe The Manner Of Execution Of The Bonds.—P. 1400.

630. AN ACT To Amend Act No. 1255 Of 1964 Authorizing Greenwood County To Issue Bonds, So As To Futher Provide For The Execution Thereof.—P. 1400.

631. AN ACT To Provide For An Advisory Election For The Nomination Of Magistrates In The Walnut Grove Township And The Kinards And Brooks Townships Of Greenwood County.—P. 1401.

632. AN ACT To Provide For An Advisory Election For The Nomination Of A Treasurer For Greenwood County.—P. 1402.

633. AN ACT To Authorize The Finance Board Of Greenwood County To Issue General Obligation Bonds Of The County In An Amount Not To Exceed Seven Hundred Seventy Thousand Dollars; To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which Their Proceeds May Be Expended And To Make Provision For The Payment Of The Bonds.—P. 1403.

634. AN ACT Authorizing The Greenwood Metropolitan Commission To Sell Bonds To Extend Sewer Trunk Lines In Certain Areas Of The Greenwood Metropolitan District.—P. 1407.

635. AN ACT To Provide For The Financing Of Construction, Repair And Improvement Of County Roads In Greenwood County By The Issuance Of Not Exceeding Two Hundred Thousand Dollars Of General Obligation Bonds Of The County And By The Pledge Of Certain Revenues, And To Provide A Tax Levy For The Retirement Of The Bonds.—1409.

636. AN ACT To Amend Section 5 Of Act No. 441 Of 1959, As Amended, Relating To The Greenwood Metropolitan District, So As To Authorize The Commission To Pay The Engineering Fee From The Excess In The Bond Sinking Fund.—P. 1411.

637. AN ACT To Create The Greenwood County Beautification Committee.—P. 1412.

638. AN ACT Authorizing The Finance Board Of Greenwood County To Sell Real Property.—P. 1413.

639. AN ACT To Provide For The Levy Of Taxes For Greenwood County For The Fiscal Year 1965-1966, And For The Expenditure Thereof; To Provide For Emergency Financing Of The County And Its School Districts; To Provide For The Sending Out Of Tax Notices, Fixing School District Levies And For A General School Levy, And For The Expenditure Thereof; To Validate Prior Actions Or Disbursements; To Authorize The Publication Of Financial Statements; And To Provide Penalties For The Violation Thereof.—P. 1413.

640. AN ACT Providing For The Creation Of Watershed Conservation Districts In Hampton County, And The Election Of Directors Of Watershed Conservation Districts And Their Powers And Duties; And Providing For A Levy Of Taxes For The Organization And Administration Of Such Districts, And For The Construction, Operation And Maintenance Of Works Of Improvement Within Such Districts.—P. 1430.

641. AN ACT To Amend An Act Of 1965 Bearing Ratification No. 241, Relating To The Watershed Conservation Districts In Hampton County, So As To Limit The Power Of Eminent Domain Under Certain Conditions.—P. 1440.

642. AN ACT To Provide For The Levying Of Taxes For Ordinary County And Road Purposes In Hampton County For The Fiscal Year Beginning July 1, 1965, And Ending June 30, 1966, And To Provide For The Expenditure Thereof.—P. 1440.

643. AN ACT To Authorize The Mayor And Town Council Of The Town Of Ocean Drive Beach To Borrow Fifteen Thousand Dollars For The Construction And Equipping Of A Town Hall.—P. 1452.

644. AN ACT To Authorize The Horry County Board Of Commissioners To Issue Not Exceeding Four Hundred Thousand Dollars Of General Obligation Bonds Or Notes Of Horry County To Provide Funds For The Construction Of A Technical Education Center; To Prescribe The Terms And Conditions Under Which The Bonds May Be Issued; To Make Provisions For The Payment Thereof; And To Repeal Act No. 1265 Of 1964, Relating To The Issuance Of General Obligation Bonds Of Horry County For Construction Of A Technical Education Center.—P. 1452.

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687. AN ACT To Make A Supplemental Appropriation For The Fiscal Year 1964-1965 From The General Fund Of Orangeburg County.—P. 1650.

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RATIFICATION NUMBERS

With Act Numbers Assigned

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1	611	58	715
2	1	59	44
3	714	60	45
4	677	61	46
5	2	62	47
6	3	63	48
7	4	64	49
8	5	65	50
9	628	66	51
10	6	67	679
11	7	68	52
12	8	69	53
13	9	70	532
14	583	71	546
15	10	72	54
16	11	73	493
17	12	74	722
18	13	75	55
19	14	76	56
20	684	77	723
21	15	78	724
22	16	79	594
23	605	80	57
24	17	81	472
25	18	82	58
26	685	83	59
27	19	84	60
28	20	85	477
29	21	86	61
30	22	87	606
31	23	88	553
32	24	89	62
33	25	90	63
34	575	91	64
35	26	92	671
36	27	93	65
37	28	94	66
38	29	95	67
39	469	96	725
40	30	97	612
41	31	98	68
42	32	99	69
43	33	100	613
44	34	101	70
45	678	102	71
46	Vetoed	103	695
47	35	104	72
48	36	105	547
49	37	106	73
50	38	107	74
51	39	108	75
52	662	109	76
53	472	110	77
54	40	111	78
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115	82	176	125
116	83	177	615
117	84	178	126
118	85	179	127
119	86	180	689
120	87	181	128
121	88	182	494
122	600	183	129
123	702	184	130
124	89	185	131
125	90	186	132
126	559	187	133
127	91	188	134
128	92	189	135
129	576	190	136
130	577	191	137
131	578	192	138
132	93	193	139
133	94	194	140
134	560	195	141
135	95	196	142
136	716	197	143
137	517	198	144
138	96	199	145
139	97	200	505
140	98	201	146
141	99	202	147
142	614	203	148
143	595	204	149
144	489	205	596
145	490	206	704
146	100	207	629
147	101	208	150
148	102	209	151
149	103	210	152
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151	105	212	154
152	106	213	518
153	107	214	155
154	108	215	156
155	109	216	519
156	534	217	157
157	110	218	718
158	643	219	158
159	111	220	159
160	112	221	160
161	113	222	161
162	114	223	698
163	115	224	162
164	116	225	616
165	117	226	644
166	118	227	163
167	119	228	164
168	120	229	165
169	121	230	561
170	122	231	166
171	123	232	481
172	669	233	167
173	703	234	168
174	584	235	520
175	124	236	169

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237	170	298	618
238	171	299	210
239	645	300	536
240	506	301	563
241	640	302	211
242	172	303	509
243	173	304	212
244	663	305	213
245	562	306	214
246	680	307	215
247	174	308	216
248	175	309	217
249	655	310	218
250	585	311	219
251	176	312	220
252	177	313	221
253	178	314	222
254	179	315	727
255	180	316	223
256	181	317	646
257	182	318	476
258	183	319	475
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263	187	324	228
264	188	325	229
265	512	326	527
266	189	327	528
267	630	328	681
268	190	329	230
269	726	330	231
270	191	331	705
271	192	332	232
272	193	333	482
273	535	334	233
274	194	335	234
275	500	336	235
276	195	337	641
277	617	338	592
278	196	339	473
279	197	340	236
280	198	341	237
281	199	342	238
282	200	343	239
283	686	344	240
284	657	345	241
285	521	346	242
286	201	347	243
287	579	348	244
288	202	349	245
289	203	350	246
290	548	351	247
291	522	352	248
292	204	353	537
293	205	354	249
294	206	355	250
295	207	356	538
296	208	357	251
297	209	358	690

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359	580	420	299
360	581	421	479
361	252	422	300
362	253	423	491
363	254	424	507
364	255	425	Vetoed
365	564	426	301
366	256	427	302
367	257	428	303
368	258	429	707
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370	260	431	305
371	487	432	306
372	261	433	307
373	262	434	308
374	263	435	309
375	720	436	310
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381	269	442	316
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383	271	444	495
384	272	445	480
385	273	446	586
386	274	447	318
387	275	448	319
388	276	449	601
389	706	450	320
390	619	451	321
391	277	452	550
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393	555	454	323
394	478	455	324
395	279	456	325
396	549	457	587
397	515	458	326
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401	283	462	330
402	284	463	647
403	285	464	331
404	286	465	588
405	287	466	484
406	569	467	488
407	288	468	529
408	289	469	332
409	290	470	708
410	291	471	556
411	292	472	664
412	293	473	670
413	294	474	589
414	295	475	333
415	296	476	334
416	565	477	691
417	297	478	335
418	298	479	692
419	674	480	693

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481	728	542	374
482	687	543	375
483	336	544	376
484	492	545	377
485	468	546	378
486	337	547	379
487	338	548	380
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489	340	550	648
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491	342	552	382
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493	631	554	539
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495	344	556	385
496	345	557	386
497	346	558	694
498	347	559	668
499	620	560	700
500	721	561	502
501	667	562	387
502	508	563	388
503	348	564	623
504	349	565	597
505	350	566	389
506	351	567	602
507	352	568	390
508	353	569	391
509	354	570	392
510	355	571	688
511	696	572	393
512	544	573	503
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515	358	576	395
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518	501	579	642
519	621	580	649
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523	363	584	399
524	485	585	400
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527	474	588	402
528	366	589	510
529	367	590	403
530	699	591	540
531	471	592	404
532	368	593	603
533	496	594	650
534	369	595	405
535	370	596	406
536	Vetoed	597	497
537	371	598	407
538	372	599	498
539	622	600	408
540	373	601	590
541	523	602	409

Ratification No.	Act No.	Ratification No.	Act No.
603	410	664	444
604	411	665	625
605	412	666	730
606	729	667	445
607	413	668	514
608	414	669	651
609	524	670	652
610	513	671	675
611	415	672	504
612	416	673	446
613	417	674	447
614	418	675	448
615	419	676	653
616	420	677	697
617	658	678	525
618	421	679	516
619	422	680	558
620	566	681	637
621	423	682	449
622	424	683	542
623	425	684	450
624	665	685	451
625	426	686	552
626	427	687	452
627	570	688	710
628	428	689	711
629	429	690	712
630	632	691	572
631	430	692	453
632	624	693	713
633	607	694	454
634	567	695	573
635	608	696	455
636	431	697	701
637	432	698	456
638	433	699	574
639	719	700	457
640	434	701	458
641	435	702	543
642	633	703	609
643	634	704	459
644	436	705	499
645	717	706	460
646	541	707	461
647	437	708	467
648	635	709	626
649	636	710	462
650	530	711	568
651	571	712	582
652	438	713	545
653	598	714	683
654	709	715	654
655	511	716	526
656	557	717	660
657	439	718	463
658	604	719	591
659	440	720	659
660	441	721	610
661	442	722	533
662	443	723	676
663	682	724	599

Ratification No.	Act No.	Ratification No.	Act No.
725	627	730	638
726	464	731	466
727	656	732	666
728	465	733	661
729	531	**734**	**639**

ACTS

AND

JOINT RESOLUTIONS

OF THE

General Assembly

OF THE

State of South Carolina

DONALD RUSSELL, Governor; ROBERT E. MCNAIR, Lieutenant Governor and ex officio President of Senate; EDGAR A. BROWN, President pro tempore of Senate; SOLOMON BLATT, Speaker of House of Representatives; REX L. CARTER, speaker pro tempore of House of Representatives; L. O. THOMAS, Clerk of the Senate; INEZ WATSON, Clerk of House of Representatives.

Passed at the regular session, which was begun and held at the city of Columbia on the 12th day of January, A. D. 1965 and was adjourned sine die on the 11th day of June, A. D. 1965

PART I

GENERAL AND PERMANENT LAWS

(R2, S10) **No. 1**

An Act to Amend Section 43-803 of the 1962 Code, Relating to the Magistrate of the City of Greenwood, so as to Delete the

Requirements that the Magistrate be a Practicing Attorney with at Least Two Years Experience.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 43-803 amended—City of Greenwood magistrates.—Section 43-803 of the 1962 Code is amended by striking the first sentence of the second paragraph "The magistrate for the city of Greenwood shall be a practicing attorney who must have had at least two years' experience in the practice of law in order to be eligible for qualification as such magistrate.", so that when amended the section shall read as follows:

"Section 43-803. The office of magistrate of the city of Greenwood is hereby divided into two divisions, the first division and the second division, and shall be organized as provided in Sections 43-803 to 43-809.

The court shall remain in session at all times for the disposition of any matters to be heard, tried or disposed of."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of January, 1965.

(R5, H1019) **No. 2**

An Act To Create The Richland County Economic Opportunity Commission And To Prescribe Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Richland County Economic Opportunity Commission created.—There is hereby created the Richland County Economic Opportunity Commission.

SECTION 2. To be corporate body.—The commission is hereby declared to be a body politic and corporate and shall exercise and enjoy all the rights and privileges of such.

SECTION 3. Members and compensation.—The commission shall be composed of thirty-one members. One shall be a member of the county legislative delegation, ex officio. The other members shall be residents of the county and shall be appointed by the Governor upon

recommendation of a majority of the county legislative delegation, including the senator. In designating the member from the delegation, a majority of the delegation, including the senator, shall govern. Members shall be selected on a basis fairly representative of the residents of the county and of the federal, state, county and municipal governmental and private nonprofit agencies, firms and corporations in the county engaged in improvement of the health, education, welfare, housing and employment of the residents of the county. The members of the commission shall serve without compensation.

SECTION 4. Terms and vacancies.—The term of office of the appointive members of the commission shall be four years or until their successors are appointed and qualify, except that the initial term of fifteen members shall be for one year and six months and fifteen members for three years and six months, all the terms of the original members running from January 1, 1965. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor.

SECTION 5. Officers.—Immediately upon the appointment of the commission, it shall organize by electing one of its members as chairman, a second as vice chairman, a third as secretary and a fourth as treasurer. The officers of the commission shall hold office for terms of one year and until their successors shall be chosen and qualify. The commission shall file a record of its members and their respective terms in the office of the Clerk of Court for Richland County.

SECTION 6. Powers and duties.—The commission shall be responsible for the improvement of communication and cooperation among existing and future programs and the administration of one or more new programs designed to improve the health, education, welfare, housing or employment of the residents of Richland County. To this end the commission shall be empowered as follows:

(a) to sue and be sued;

(b) to adopt, use and alter a corporate seal;

(c) to make bylaws for the management and regulation of its affairs;

(d) to appoint agents, employees and servants, to prescribe their duties, to fix their compensation, to determine if and to what extent they shall be bonded for the faithful performance of their duties;

(e) to undertake the improvement of communication and cooperation among existing and future programs administered by federal, state, county and municipal governmental agencies and private nonprofit organizations designed to improve the health, education, welfare, housing or employment of the county residents and, with the consent of such agencies and organizations, to coordinate same;

(f) to enter into contracts and agreements for performance of its programs and duties with federal, state, county and municipal governmental agencies and subdivisions thereof, and private nonprofit organizations;

(g) to accept and receive funds for the performance of its duties in the administration of its programs from such governmental agencies and subdivisions thereof and private nonprofit organizations, as well as any other sources;

(h) to designate an executive committee from among the members of the commission to which may be delegated one or more duties and responsibilities of the commission and, from time to time, to appoint one or more sub-committees composed of residents of Richland County to advise and assist in the administration of its program and the performance of its duties;

(i) to maintain adequate accounts and records of its activities, receipts and expenses in conformance with requirements of any contract or agreement with any federal, state, county or municipal governmental agency, or subdivision thereof, or any private nonprofit organization; and

(j) to acquire, own or hold in trust, preserve, restore, maintain or lease property, facilities and equipment reasonably necessary for the performance of its duties and the administration of its programs.

SECTION 7. Exempt from taxes.—All property of the commission shall be exempt from all ad valorem taxes levied by Richland County or municipality therein, or any division, subdivision or agency thereof, directly or indirectly.

SECTION 8. Fiscal year and audit.—The commission shall conduct its affairs on the fiscal year basis employed by Richland County. As shortly after the close of its fiscal year as may be practicable an audit of its affairs shall be made by a certified public accountant in good standing, to be designated by the commission. Copies of such audit, incorporated into an annual report of the commission, shall be

filed with the senator, the secretary of the house delegation and the office of the Clerk of Court for Richland County.

SECTION 9. Contracts not to be impaired.—The right to alter, amend or rescind this act is hereby expressly reserved and disclosed, but no such amendment or repeal shall operate to impair the operation of any contract otherwise made by the authority pursuant to any power conferred by this act.

SECTION 10. When action may be taken.—Any action required of the commission may be taken at any regular or special meeting, and at such meeting a majority of the members shall constitute a quorum.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of January, 1965.

(R6, H1031)

No. 3

An Act To Ratify Amendment To Section 5 Of Article X Of The Constitution Of South Carolina, 1895, Relating To The Limits Of Bonded Indebtedness, So As To Further Provide For The Bonded Indebtedness In Greenwood County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Amendment to Article X, Section 5, State Constitution, ratified—bonded indebtedness of Greenwood County.—The amendment to Section 5 of Article X of the Constitution of South Carolina, 1895, proposed under the terms of a joint resolution appearing in the Acts and Joint Resolutions of the General Assembly of South Carolina, 1964, as No. 1251, having been submitted to the qualified electors in the manner prescribed by Section 1 of Article XVI of the Constitution of South Carolina, 1895, and a favorable vote having been received thereon, the amendment is ratified and declared to form a part of the Constitution, so that there shall be added at the end of Section 5 of Article X the following: "*Provided,* that the limitations imposed by this section shall not apply to Greenwood County, and that the county may incur a bonded indebtedness not exceeding twelve per cent of the assessed value of all taxable property in the county."

Ratified the 27th day of January, 1965.

(R7, H1032) **No. 4**

An Act To Ratify An Amendment To Section 5 Of Article X Of The Constitution Of South Carolina, 1895, Relating To School Bond Indebtedness, So As To Increase The Limits In School District No. 50 In Greenwood County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Amendment to Article X, Section 5, State Constitution, ratified—bonded indebtedness of Greenwood County School District 50.—The amendment to Section 5 of Article X of the Constitution of South Carolina, 1895, proposed under the terms of a joint resolution appearing in the Acts and Joint Resolutions of the General Assembly of South Carolina 1964, as No. 1251, having been submitted to the qualified electors in the manner prescribed by Section 1 of Article XVI of the Constitution of South Carolina, 1895, and a favorable vote having been received thereon, the amendment is ratified and declared to form a part of the Constitution, so that there shall be added at the end of Section 5 of Article X the following: "Provided that the limitations as to bonded indebtedness imposed by this section shall not apply to School District No. 50 in Greenwood County, the State of South Carolina, and that the said school district may incur bonded indebtedness for school purposes to an amount not exceeding twenty per cent of the assessed value of all taxable property therein."

Ratified the 27th day of January, 1965.

(R8, H1033) **No. 5**

An Act To Ratify An Amendment To Section 5 Of Article X Of The Constitution Of South Carolina, 1895, Relating To School Bond Indebtedness, So As To Increase The Limits In Ninety Six School District No. 52 In Greenwood County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Amendment to Article X, Section 5, State Constitution, ratified—bonded indebtedness of Greenwood County School District 52.—The amendment to Section 5 of Article X of the Constitution of South Carolina, 1895, proposed under the terms of a

joint resolution appearing in the Acts and Joint Resolutions of the General Assembly, South Carolina, 1963, as No. 555, having been submitted to the qualified electors in the manner prescribed by Section 1 of Article XVI of the Constitution of South Carolina, 1895, and a favorable vote having been received thereon, the amendment is ratified and declared to form a part of the Constitution, so that there shall be added at the end of Section 5 of Article X the following: "Provided that the limitations as to bonded indebtedness imposed by this section shall not apply to Ninety Six School District No. 52 in Greenwood County, the State of South Carolina, and that the said school district may incur bonded indebtedness for school purposes to an amount not exceeding eighteen per cent of the assessed value of all taxable property therein."

Ratified the 27th day of January, 1965.

(R10, H1037) **No. 6**

An Act To Provide For A Tax Assessor, Assistants And Appraisers For General Reappraisement Of All Properties Within Abbeville County And To Validate Actions Of The County Tax Equalization Board.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Abbeville County to appoint a tax assessor—assistants.—In Abbeville County the duties relative to evaluation, reappraisal, assessment and equalization of property for taxation are hereby devolved upon a tax assessor who shall be appointed by the county tax equalization board, or a designated sub-committee, upon recommendation of the county legislative delegation. He shall serve for a term of one year and until his successor is appointed and qualifies. The tax assessor shall appoint such assistant tax assessors and appraisers for the length of service as he deems necessary, the appointments to be made upon the advice and consent of the county tax equalization board, or its designated sub-committee, together with the county legislative delegation.

SECTION 2. Inspect property.—The tax assessor, assistant tax assessors or appraisers shall inspect the real and personal property in the county, fairly and impartially assess its value, and make such

changes in the valuation of any taxable property as they deem necessary to maintain proper and equal property valuation. The assessed valuation shall not exceed twelve per cent of the appraised valuation and shall be determined upon completion of a countywide appraisal and revaluation.

SECTION 3. Salaries—funds.—Salaries of the tax assessor, his assistants, appraisers and helpers, together with other expenses to be incurred, will be determined by the tax equalization board, or a designated subcommittee, serving in conjunction with the county legislative delegation. Funds to meet necessary expenses of the tax equalization program will be from general funds of the county. Should the funds not be sufficient, the county governing board is hereby given authority to issue sufficient short term county notes in order to meet the expenses.

SECTION 4. Records.—The tax assessor, his assistants, appraisers and helpers shall establish a permanent record of all property appraised or valued. The form of the records shall be approved by the tax assessor after consultation with the South Carolina Tax Commission. These records shall be of a permanent nature and protected against damage by fire or otherwise.

SECTION 5. When program to take effect.—For the year 1965, the county board of assessors and the county equalization board shall operate as set out in Act No. 1029 of 1964. The results of the reassessment program shall become effective January 1, 1966, or at such time thereafter as this program has been completed.

SECTION 6. Maximum increase in revenue.—For the purpose of determining the tax revenue for the county, after completion of the tax equalization program, the total assessment and millage to be determined will be such as not to increase the county revenue more than two per cent over the prior year, other than additional revenue brought about because of growth of economy and additional property not formerly assessed for taxation.

SECTION 7. Prior actions validated.—All prior actions of the county tax equalization board are hereby validated.

SECTION 8. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of January, 1965.

(R11, H1050) **No. 7**

An Act To Provide That The Town Of Windy Hill Beach In Horry County May Clean Up Vacant Lots When The Owner Thereof After Notice Refuses To Do So And Assess The Owner For The Expenses Incurred; And To Make The Lien Created Apply As In Cases Involving Liens For Taxes.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Town of Windy Hill Beach may clean up vacant lots.—The Town of Windy Hill Beach in Horry County, ten days after sending written notice to the owner of any vacant lot within the corporate limits of the municipality that it has determined that the owner shall clean up such vacant lot to insure the public health and safety, may clean up the vacant lot if the owner has not done so and may assess the owner for the expenses incurred. The assessment shall constitute a lien upon the lot involved as in cases involving liens for taxes.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of January, 1965.

(R12, S9) **No. 8**

An Act To Provide For The Terms Of Office Of The Mayor And Councilmen Of The Town Of Society Hill In Darlington County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Terms of mayor and councilmen for Town of Society Hill.—Notwithstanding the provisions of Section 47-111 of the 1962 Code, in the Town of Society Hill, in Darlington County, the mayor and councilmen shall be elected every four years, and their terms of office shall be for four years and until their successors are elected and qualify.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of February, 1965.

(R13, S34) **No. 9**

An Act To Amend Section 27-82, Code Of Laws Of South Carolina, 1962, Relating To Clerk Of Court Fees In Dorchester County, So As To Provide For Fees In Civil Actions Or Proceedings.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 27-82 amended—clerk of court fees for Dorchester County.—Section 27-82, Code of Laws of South Carolina, 1962, is amended by deleting the word "and" immediately preceding "(o)", by changing the period at the end of the section to a semicolon, and adding the following: "and, (p) for filing civil actions or proceedings, ten dollars, which shall constitute the entire costs in the case, action or proceedings, including all certified copies of pleadings or papers, provided such copies are furnished by the plaintiff or his attorney. No part of the filing fee shall be refunded upon discontinuance of the action or otherwise."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of February, 1965.

(R15, S45) **No. 10**

An Act To Ratify An Amendment To Section 5 Of Article X Of The Constitution Of South Carolina, 1895, Limiting The Bonded Indebtedness Of Political Subdivisions, So As To Permit The School Authorities In Kershaw County To Incur Bonded Indebtedness For School Purposes In An Amount Not Exceeding Fifteen Per Cent Of The Assessed Value Of All Taxable Property Within The County and To Exclude Such Indebtedness From The Limitation Of Aggregate Indebtedness Upon Any Territory In The County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Amendment to Article X, Section 5, State Constitution, ratified—bonded indebtedness of Kershaw County.—The amendment to Section 5, Article X, of the Constitution of South Carolina, 1895, proposed under the terms of Act No. 1277, of 1964,

having been submitted to the qualified electors at the general election in 1964 in the manner prescribed by Section 1 of Article XVI of the Constitution and a favorable vote having been received thereon, is ratified and declared to form a part of the Constitution so that there will be added at the end of Section 5, Article X, the following: "*Provided,* that the school authorities in Kershaw County may incur bonded indebtedness for school purposes in an amount not exceeding fifteen per cent of the assessed value of all taxable property in the county, and such indebtedness shall not be considered in determining the aggregate debt limitation imposed by this section."

Ratified the 2nd day of February, 1965.

(R16, S46) **No. 11**

An Act To Ratify An Amendment To Section 5 Of Article X Of The Constitution Of South Carolina, 1895, Limiting The Bonded Indebtedness Of Political Subdivisions, To Delete The Provisos Designated As (6), (20) And (46), Relating To Lancaster School District Embracing The Town Of Lancaster, Heath Springs School District No. 38, And School District No. 40 In Kershaw And Lancaster Counties, And To Permit The School District Of Lancaster County To Incur Bonded Indebtedness In An Amount Not Exceeding Fifteen Per Cent Of The Assessed Value Of All Taxable Property Within The District.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Amendment to Article X, Section 5, State Constitution, ratified—bonded indebtedness of certain school districts in Lancaster and Kershaw Counties.—The amendment to Section 5, Article X, of the Constitution of South Carolina, 1895, proposed under the terms of Act No. 1279 of 1964, having been submitted to the qualified electors at the general election in 1964 in the manner prescribed by Section 1 of Article XVI of the Constitution and a favorable vote having been received thereon, is ratified and the following provisos are deleted from the Constitution:

"(6) *Provided, further,* That the limitations imposed by this Section shall not apply to Lancaster School District within the County of Lancaster and embracing the Town of Lancaster, such school district

being hereby expressly authorized to vote bonds to an amount not exceeding one hundred fifty thousand ($150,000.00) dollars in excess of the bonds already issued and authorized. The proceeds of such bonds to be applied solely to the purchase of additional real estate for school purposes, the erection, maintenance, improvements and equipment of school buildings in said school district under such restrictions and limitations as the General Assembly may prescribe, and where the question of incurring such indebtedness is submitted to the qualified electors of said school district, as provided in the Constitution upon the question of bonded indebtedness.

"(20) *Provided, further,* That the limitations imposed by this Section shall not apply to Heath Springs School District No. 38 of Lancaster County, said school district being hereby authorized to issue additional bond in an amount not exceeding thirty thousand ($30,000-.00) dollars, and that the question of incurring such indebtedness be submitted to the qualified electors of said school district as provided in the Constitution upon the question of bonded indebtedness.

"(46) *Provided, further,* That the limitation imposed by this Section shall not apply to School District No. 40, within the Counties of Kershaw and Lancaster, such School District being hereby expressly authorized to vote bonds to an amount not exceeding Forty Thousand ($40,000.00) Dollars, in excess of the bonds already issued and authorized, the proceeds of such bonds to be applied solely to the erection of a school building in said School District, and for the purchase of equipment for said building, under such restrictions and limitations as the General Assembly may prescribe, and where the question of incurring such indebtedness is submitted to the qualified electors of said School District, as provided in the Constitution upon the question of bonded indebtedness."

SECTION 2. Amendment to Article X, Section 5, State Constitution, ratified—bonded indebtedness of the School District of Lancaster County.—The amendment to Section 5, Article X, of the Constitution of South Carolina, 1895, proposed under the terms of Act No. 1279 of 1964, having been submitted to the qualified electors at the general election in 1964 in the manner prescribed by Section 1 of Article XVI of the Constitution and a favorable vote having been received thereon, is ratified and declared to form a part of the Constitution so that there will be added at the end of Section 5, Article X, the following:

"( ) *Provided, further,* that the limitations as to bonded indebtedness imposed by this section shall not apply to the School District of Lancaster County, and that the school district may incur bonded indebtedness for school purposes to an amount not exceeding fifteen per cent of the assessed value of all taxable property therein."

Ratified the 2nd day of February, 1965.

(R17, S47) **No. 12**

An Act To Amend Section 14-2652.1, Code Of Laws Of South Carolina, 1962, Relating To Vacancies On The Lee County Board Of Commissioners, So As To Further Provide For The Filling Of Such Vacancies.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 14-2652.1 amended — vacancies.—Section 14-2652.1, Code of Laws of South Carolina, 1962, is amended by striking "the Senator" and inserting in lieu thereof "a majority of the county legislative delegation." The section when amended shall read as follows:

"Section 14-2652.1. Any vacancy occurring in the office of commissioner caused by death, resignation or otherwise shall be filled by appointment of the Governor upon the recommendation of a majority of the county legislative delegation to serve for the unexpired term and until the successor of any person so appointed shall have been duly elected and qualified."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of February, 1965.

(R18, H1027) **No. 13**

An Act To Ratify The Amendments To Section 7, Article VIII, And Section 5, Article X, of the Constitution Limiting The Amount Of Bonded Indebtedness Which May Be Incurred By Political Subdivisions Of This State, So As To Eliminate The

Provisos To Such Sections Exempting The County Of Beaufort And Other Political Subdivisions Within The County From Such Limitations, And To Ratify An Amendment To Section 5, Article X, Of The Constitution To Exempt Beaufort County And Any Political Subdivision Within Such County From The Limitations Of That Section Or Any Other Constitutional Provision Limiting The Amount Of Bonded Indebtedness Which May Be Incurred By A Political Subdivision Of This State.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Amendment to Article VIII, Section 7, State Constitution, ratified—bonded indebtedness of City of Beaufort.—The amendment to Section 7, Article VIII, of the Constitution of this State, proposed under the terms of Act No. 1156 of 1964, having been submitted to the qualified electors at the general election in 1964 in the manner prescribed by Section 1 of Article XVI of the Constitution and a favorable vote having been received thereon, is ratified and the following proviso is deleted from the Constitution:

"*Provided*, that the limitations imposed in Section 7, Article VIII, and by Section 5, of Article X, of the Constitution of the State of South Carolina shall not apply to the bonded indebtedness incurred by the City of Beaufort, when the proceeds of any bonds issued by said city are applied exclusively to the purchase, erection, improvements and maintenance of streets and sidewalks where the abutting property owners are assessed as much as one-half the cost thereof, or for the purchase, construction and maintenance of waterworks, lighting plants, gas plants, sewerage system or for the payment of debts incurred and when the question of incurring such indebtedness is submitted to the qualified electors of said municipality as provided by law."

SECTION 2. Amendment to Article X, Section 5, State Constitution, ratified—bonded indebtedness of City of Beaufort.—The amendment to Section 5, Article X of the Constitution of this State, proposed under the terms of Act No. 1156 of 1964, having been submitted to the qualified electors at the general election in 1964 in the manner prescribed by Section 1 of Article XVI of the Constitution and a favorable vote having been received thereon, is ratified and the following proviso is deleted from the Constitution:

"*Provided*, that the limitations imposed in Section 7, Article VIII, and by Section 5, Article X, of the Constitution of the State of South

Carolina shall not apply to the bonded indebtedness incurred by the City of Beaufort, when the proceeds of any bonds issued by said city are applied exclusively to the purchase, erection, improvements and maintenance of streets and sidewalks where the abutting property owners are assessed as much as one-half the cost thereof, or for the purchase, construction and maintenance of waterworks, lighting plants, gas plants, sewerage system or for the payment of debts incurred, and when the question of incurring such indebtedness is submitted to the qualified electors of said municipality as provided by law."

SECTION 3. Amendment to Article X, Section 5, State Constitution, ratified—bonded indebtedness of Beaufort County.—The amendment to Section 5, Article X, of the Constitution of this State, proposed under the terms of Act No. 1156 of 1964, having been submitted to the qualified electors at the general election in 1964 in the manner prescribed by Section 1 of Article XVI of the Constitution and a favorable vote having been received thereon, is ratified and the following proviso is deleted from the Constitution:

"*Provided,* that the limitations imposed in Paragraph 5, Article X, of the Constitution of the State of South Carolina shall not apply to the bonded indebtedness of the County of Beaufort, or of townships, school districts or other political subdivisions of said county."

SECTION 4. Amendment to Article X, Section 5, State Constitution, ratified—bonded indebtedness of Beaufort.—The amendment to Section 5, Article X, of the Constitution of this State, proposed under the terms of Act No. 1156 of 1964, having been submitted to the qualified electors at the general election in 1964 in the manner prescribed by Section 1 of Article XVI of the Constitution and a favorable vote having been received thereon, is ratified and the following proviso is deleted from the Constitution:

"*Provided,* that the limitations imposed in Paragraph 5, Article X, of the Constitution of the State of South Carolina shall not apply to the bonded debt of Beaufort."

SECTION 5. Amendment to Article X, Section 5, State Constitution, ratified—bonded indebtedness of Beaufort County or any of its political subdivisions.—The amendment to Section 5, Article X, of the Constitution of this State, proposed under the terms of Act No. 1156 of 1964, having been submitted to the qualified electors at the general election in 1964 in the manner prescribed by Section 1 of

Article XVI of the Constitution and a favorable vote having been received thereon, is ratified and declared to form a part of the Constitution so that there will be added at the end of Section 5, Article X the following:

"*Provided,* that the limitations imposed by this Section 5 of Article X, and by any other constitutional provisions imposing limitations upon bonded indebtedness that may be incurred by counties, townships, school districts, municipal corporations, or political divisions or subdivisions of this State shall not apply to the County of Beaufort, any township in Beaufort County, any school district in Beaufort County, any municipal corporation in Beaufort County, or any political division or subdivision in Beaufort County."

Ratified the 2nd day of February, 1965.

(R19, H1036) **No. 14**

An Act To Permit The Creation Of Oakdale Water District Of Florence County And To Prescribe Its Area And Functions; To Provide For Its Governing Body And Prescribe Its Powers And Duties; And To Provide Penalties For Certain Actions.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Oakdale Water District of Florence County may be created.—There is hereby authorized the creation, subject to the provisions of Sections 1-A and 1-B of this act, a body corporate and politic of perpetual succession to be known as the Oakdale Water District of Florence County (hereafter called the district). It shall be the purpose and function of the district to acquire, construct and operate a water works system, utilizing therefor water from available sources, by purchase or otherwise, at such convenient points as the district shall select to provide a flow of water through pipes to the areas described in Section 2 of this act, and to such other domestic, commercial or industrial users who can be conveniently and economically served within or without the service area as herein provided. To this end the district shall perform the functions prescribed by this act, and shall be vested with the powers herein granted and all other powers that may be necessary or incidental in carrying out the functions herein prescribed and exercising the powers herein

granted. The water mains, distribution facilities, tanks, their several component parts, and all apparatus, equipment and property incident thereto or used or useful in the operation thereof and all additions, improvements, extensions and enlargements to any of them shall be referred to in this act as the system.

SECTION 1-A. Petition for election.—In order to create a district under the provisions of this act, at least ten owners of real property residing within the boundaries of the proposed district shall file a petition with the Chairman of the Governing Board of Florence County, which, among other things, shall propose the following: The petition shall set forth a full description of the area of the district. Upon receipt of the petition, the chairman of the governing board shall call for an election to be held within the area within thirty days. Notice of the election shall be published in a newspaper having general circulation within the area for at least two consecutive weeks prior to the election. The chairman shall have prepared and distributed a sufficient number of ballots, including absentee ballots, if requested. The ballots shall contain the question regarding the formation of the district and such other instructions as the chairman of the governing board deems necessary. The chairman shall appoint managers for the election and such other personnel as it deems necessary and shall canvass the results of the ballots. The final result shall be filed in the office of the clerk of court of the county and, if favorable, also in the offices of the Scretary of State and the Code Commissioner, together with a full description of the distirct. Should a majority of those voting in the election vote in favor of the creation of the district, it shall become immediately effective.

SECTION 1-B. Who may vote.—In order to be eligible to vote under the provisions of this act, a person must be twenty-one years of age or over or a designated officer of a corporation, who or which owns legal title to a present possessory interest in real estate lying within the district equal to a life estate or greater (expressly excluding leaseholds, easements, equitable interests, inchoate rights, dower rights and future interests).

SECTION 2. Service area.—The district shall include and be comprised of the following territory which shall be known as the service area:

All that certain piece parcel or lot of land in the County of Florence, State of South Carolina, being situate approximately

five (5) miles West of the City Limits of Florence, S. C., and being in School District No. 1, Outside, and being partially described in a plat of record in the Office of the Clerk of Court for Florence County in Plat Book Q at page 55, and being more particularly described and bounded as follows: Beginning at a point where the Eastern boundary of Oakdale Golf Club property intersects the run of Middle Swamp and running from said point in a Northerly direction along the Parker Estate land and Oakdale Golf Club boundary line to a point where said Eastern Oakdale Golf Club line intersects Pine Needles Road; thence in a Northern direction across Pine Needles Road along the common boundary line of W. L. King and lands formerly of Alton Gibson, Pete Johns and Cecil Blackmon to a point where said line intersects the Easternmost boundary of lands of Lula B. Thompson; thence in a Southwesterly direction along the common boundary of Oakdale and Lula B. Thompson to the high water mark of Middle Swamp; thence in an Easterly direction along the high water mark of Middle Swamp to the Western boundary of a State Highway; thence Southeast along the run of Middle Swamp approximately 200 feet to the point of beginning, and containing Two Hundred Fifty (250) acres, more or less.

SECTION 3. To be managed by a board of directors.—The district shall be operated and managed by a board of directors to be known as the "Oakdale Water District Board of Flornce County" which shall constitute the governing body of the district. The board shall consist of five resident electors of the area who shall be appointed by the Governor, upon the recommendation of a majority of the Florence County Legislative Delegation, including the Senator. The delegation shall recommend only such persons as were nominated at a meeting of the residents of the area and certified to the delegation by the chairman and secretary of the meeting. The meeting shall be advertised in a local newspaper for at least one week, giving the time and place of the meeting. The original appointments shall be for a term of two years for two appointees, for four years for two appointees, and for six years for one appointee. All terms after the initial appointments shall be for six years. All appointees shall hold office until their successors shall have been appointed and qualify. The initial terms of office shall begin as of the effective date of this act. Any vacancy shall be filled in like man-

ner as the original appointment for the unexpired portion of the term. Immediately after appointment the board shall meet and organize by the election of one of its members as chairman, one as vice chairman, one as secretary and one as treasurer. The office of the secretary and treasurer may be combined in the discretion of the board.

SECTION 4. Powers and duties.—The district, acting through its governing body, is hereby vested with all such powers as may be necessary or incidental to carry out its purposes, functions and responsibilities including, but without limitation, the following:

(1) To have perpetual succession.

(2) To sue and be sued.

(3) To adopt, use and alter a corporate seal.

(4) To define a quorum for meetings.

(5) To maintain a principal office.

(6) To make bylaws for the management and regulation of its affairs.

(7) To build, construct, maintain and operate ditches, tunnels, culverts, flumes, conduits, mains, pipes, dikes, dams and reservoirs.

(8) To build, construct, maintain and operate distribution systems for the distribution of water for domestic or industrial use.

(9) To acquire and operate any type of machinery, appliances or appurtenances, necessary or useful in constructing, operating and maintaining the system.

(10) To contract for or otherwise acquire a supply of water and sell water for industrial or domestic use.

(11) To prescribe rates and regulations under which such water shall be sold for industrial and domestic use.

(12) To enter into contracts of long duration for the sale of water with persons, private corporations, municipal corporations, or public bodies or agencies.

(13) To prescribe such regulations as it shall deem necessary to protect from pollution all water in its pipes, tanks, reservoirs, distribution systems or elsewhere within its system.

(14) To make contracts of all sorts and to execute all instruments necessary or convenient for the carrying on of the business of the district.

(15) To acquire, purchase, hold, use, lease, mortgage, sell, transfer and dispose of any property, real, personal or mixed, or any interest therein.

(16) To make use of county and state highway rights-of-way in which to lay pipes and lines in such manner and under such conditions as the appropriate officials in charge of such rights-of-way shall approve.

(17) Subject always to the limitations of Section 4, Article VIII, of the Constitution of this State, to make use of all the streets and public ways of an incorporated municipality for the purpose of laying pipes and lines.

(18) To alter and change county and state highways wherever necessary to construct the system under such conditions as the appropriate officials in charge of such highways shall approve.

(19) To exercise the power of eminent domain for any corporate function. The power of eminent domain may be exercised through any procedure prescribed by Sections 25-101 through 25-140 and 33-121 through 33-148, of the 1962 Code, as now or hereafter constituted, it being the intent of this provision that further amendments and modifications of these code provisions shall be deemed to amend and revise correspondingly the powers granted by this paragraph.

Provided, the power of eminent domain shall be limited to the area described in Section 2 of this act.

(20) To appoint officers, agents, employees and servants, to prescribe the duties of such, to fix their compensation and to determine if and to what extent they shall be bonded for the faithful performance of their duties.

(21) To make contracts for construction and other services; *provided,* that such contracts shall be let on competitive bidding and shall be awarded to the lowest responsible bidder.

(22) To borrow money and to make and issue negotiable bonds, notes and other evidences of indebtedness, payable from all or any part of the revenues derived from the operation of its system. The sums borrowed may be those needed to pay all costs incident to the construction and establishment of the system, and any extensions, additions and improvements thereto, including engineering costs, legal costs, construction costs; the sum needed to pay interest during the period prior to which the system, or any extension, addition or improvement thereof, shall be fully in operation; such sum as is

needed to supply working capital to place the system in operation; and all other expenses of any sort that the district may incur in establishing, extending or enlarging the system. Neither the full faith and credit of the State of South Carolina, nor Florence County, shall be pledged for the payment of the principal and interest of the obligations, and there shall be on the face of each obligation a statement, plainly worded, to that effect. Neither the members of the board, nor any person signing the obligations, shall be personally liable thereon. To the end that a convenient procedure for borrowing money may be prescribed, the district shall be fully empowered to avail itself of all powers granted by Sections 59-361 through 59-415 and 59-651 through 59-682, of the 1962 Code, as now or hereafter constituted, it being the intent of this provision that further amendments and modifications of code provisions shall be deemed to amend and revise correspondingly the powers granted by this paragraph. In exercising the power conferred upon the district by such code provisions, the district may make or omit all pledges and covenants authorized by any provision thereof, and may confer upon the holders of its securities all rights and liens authorized by law. Notwithstanding contrary provisions in the Code, the district may:

(a) Disregard any provision requiring that bonds have serial maturities, and issue bonds in such form and with such maturities as the district shall determine.

(b) Provide that its bonds, notes or other evidence of indebtedness be payable, both as to principal and interest, from the net revenues derived from the operation of its system, as such net revenues may be defined by the district.

(c) Covenant and agree that upon it being adjudged in default as to the payment of any installment of principal or interest upon any obligation issued by it, or in default as to the performance of any covenant or undertaking made by it, in such event the principal of all obligations of such issue may be declared forthwith due and payable, notwithstanding that any of them may not have then matured.

(d) Confer upon a corporation trustee the power to make disposition of the proceeds from all borrowings and of all revenues derived from the operation of the system, in accordance with the resolutions adopted by the authority as an incident to the issuance of any notes, bonds or other types of securities.

(e) Dispose of bonds, notes or other evidence of indebtedness at public or private sale, and upon such terms and conditions as it shall approve.

(f) Make provision for the redemption of any obligations issued by it prior to their stated maturity, with or without premium, and on such terms and conditions as the district shall approve.

(g) Covenant and agree that any cushion fund established to further secure the payment of the principal and interest of any obligation shall be in a fixed amount.

(h) Covenant and agree that no free service will be furnished to any person, municipal corporation, or any subdivision or division of the State.

(i) Prescribe the procedure, if any, by which the terms of the contract with the holders of its obligations may be amended, the number of obligations whose holders must consent thereto, and the manner in which consent shall be given.

(j) Prescribe the events of default and the terms and conditions upon which all or any obligations shall become or may be declared due before maturity and the terms and conditions upon which such declarations and their consequences may be waived.

(23) To extend its system or systems, within Florence County, beyond the defined limits of the district to provide services to those living outside the district and outside any incorporated municipality when, in the discretion of the board, it is feasible and practicable so to do, in which case any person or agency receiving such service shall be subject to the same rules, regulations and requirements concerning services being received from the district as persons residing within the district. The board may, in its discretion, establish rates and charges higher than those within the district for the extension of its system and the provision of services beyond the limits of the district.

SECTION 5. Tax levy may be requested.—Upon request in writing by the board of directors of the district, the Auditor of Florence County shall levy and the treasurer shall collect a special tax assessment from time to time as may be considered necessary by the board for the purpose of supplementing the revenues derived from the operation of the system.

SECTION 6. Rates not to be regulated.—The rates charged for services furnished by the system, as constructed, improved, enlarged

and extended, shall not be subject to supervision or regulation by any state bureau, board, commission or like instrumentality or agency thereof.

SECTION 7. Exempt from taxes.—(1) Bonds, notes or other evidences of indebtedness issued pursuant to Section 4 (22) of this act and interest payable thereon are hereby exempted from any and all State, county, municipal and other taxation whatsoever under the laws of this State, and it shall be plainly stated on the face of each such obligation as follows: "The principal of and interest on this (bond) (note or other evidence of indebtedness) are exempted from any and all State, county, municipal and other taxation whatsoever under the laws of the State of South Carolina."

(2) All property of the district shall be exempt from all ad valorem taxes levied by the State, county or any municipality, division, subdivision or agency thereof, direct or indirect.

SECTION 8. Fiscal year, audit and annual report.—The district shall conduct its affairs on the fiscal year basis employed by the State. As shortly after the close of its fiscal year as may be practicable, an audit of its affairs shall be made by certified public accountants of good standing, to be designated by the district. Copies of such audits incorporated into an annual report of the district shall be filed with the Auditor and Treasurer of Florence County, and with the Secretary of the Legislative Delegation of Florence County.

SECTION 9. Penalties for unlawful acts.—It shall be unlawful for any person to willfully injure or destroy, or in any manner hurt, damage, tamper with, or impair the system of the district, or any part thereof, or any machinery, apparatus or equipment of the district, or to pollute the water in any part of its system, or to obtain water therefrom except in accordance with the regulations promulgated by the district. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not less than ten dollars nor more than one hundred dollars, or be imprisoned for not more than thirty days, in the discretion of the court, and shall be further liable to pay all damages suffered by the district.

SECTION 10. Municipalities may purchase water.—The municipalities of Florence County and all public bodies and public agencies now or hereafter operating water distribution systems in Florence

County shall be fully empowered to enter into contracts to buy water from the district. These contracts shall extend over such period of time and shall contain such terms and conditions as shall be mutually agreeable to the district and to the contracting municipality, public body or public agency.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of February, 1965.

(R21, H1046) **No. 15**

An Act To Ratify An Amendment To Section 5 Of Article X Of The Constitution Of This State Limiting The Bonded Indebtedness Of Political Subdivisions, So As To Permit School District No. 2 In Florence County To Incur Bonded Indebtedness For School Purposes In An Amount Not Exceeding Eighteen Per Cent Of The Assessed Value Of All The Taxable Property Within The District And To Exclude Such Indebtedness From The Limitation Of Aggregate Indebtedness Upon Any Territory In The County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Amendment to Article X, Section 5, State Constitution, ratified—bonded indebtedness of Florence County School District 2.—The amendment to Section 5 of Article X of the Constitution of South Carolina, 1895, proposed under the terms of a joint resolution appearing as No. 1229 of the Acts of 1964, in the manner prescribed by Section 1 of Article XVI of the Constitution of South Carolina, 1895, and a favorable vote having been received thereon, the amendment is ratified and declared to form a part of the Constitution so there will be added at the end of Article X, Section 5 of the Constitution of South Carolina, 1895, the following: "*Provided,* that School District No. 2 in Florence County may incur bonded indebtedness for school purposes in an amount not exceeding eighteen per cent of the assessed value of all taxable property in the district, and such indebtedness shall not be considered in determining the aggregate debt limitation imposed by this section."

Ratified the 2nd day of February, 1965.

(R22, H1047) **No. 16**

An Act To Amend Section 23-177, Code Of Laws Of South Carolina, 1962, As Amended, Relating To Voting Precincts In Greenwood County, So As To Define The Wards In The City Of Greenwood.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 23-177 amended, Greenwood County voting precincts.—Section 23-177, Code of Laws of South Carolina, 1962, as amended, is further amended "by striking Matthews Mill; Panola Mill".

Amend further by striking all after "follows:" on line ten to *"Harris Mill"* and by inserting in lieu thereof the following:

"Greenwood No. 1—Beginning at the intersection of the extension of Magnolia Avenue across the public square and the Southern Railroad; thence south along east side of Southern Railroad to Ninety-Six Township line; thence easterly along Ninety-Six Township line to Wilson Creek; thence north along west bank of Wilson Creek to Coronaca Creek; thence west along south bank of Wilson Creek and Abattoir Creek to New Market Street; thence south on New Market Street to Gilliam Street; thence north westerly along southern side of Gilliam Street to Hackett Avenue; and along southside of Hackett to James Street; thence north on west side of James Street to Magnolia Avenue; thence west on south side of Magnolia Avenue and its extension to Southern Railroad.

"Greenwood No. 2—Beginning at the intersection of the extension of Magnolia Avenue and the Southern Railroad; thence east along north side of Magnolia to James Street; thence south on east side of James to Hackett Avenue; thence east along north side of Hackett Avenue to Gilliam Avenue; thence easterly along the northern side of Gilliam to New Market Street; thence north along east side of New Market to Abattoir Branch; thence east along the north bank of Abattoir Branch and Wilson Creek to Coronaca Creek; thence north along west bank of Coronaca Creek to S. A. L. Railroad; thence west along the south side of S. A. L. Railroad to East Cambridge Street; thence west along south side of East Cambridge to North Main; thence south along the east side of North Main to S. A. L. Railroad bridge; thence along east side of Southern Railroad to intersection with extension of Magnolia Avenue.

"*Greenwood* No. 3—Beginning at intersection of Elm Court and East Cambridge Street; thence north along the west side of Elm Court and the extension thereof to the intersection of this line with the old westerly property line of Grendel Mill; thence north along said property line to the A. C. L. Railroad spur track; thence along said spur to the intersection of the extension of North Street; thence north along the extension of North Street and the west side of North Street to Edgewood Avenue; thence west along Edgewood Avenue to Grace Street; thence north along west side of Grace Street and State Highway No. 254 to Cokesbury Township line at Coronaca Creek; thence west along the Cokesbury Township line and Hodges Township line to the Abbeville County line; thence south along the Abbeville County line to State Highway No. 72; thence east along north side of State Highway No. 72 West Cambridge and East Cambridge to Elm Court.

"*Greenwood* No. 4—Beginning at intersection of Elm Court and East Cambridge Street; thence north along the east side of Elm Court and the extension thereof to the intersection of this line with the old westerly property line of Grendel Mill; thence north along said property line to the A. C. L. Railroad spur track; thence along said spur to the intersection of the extension of North Street; thence north along the extension of North Street and the east side of North Street to Edgewood Avenue; thence west along Edgewood Avenue to Grace Street; thence north on east side of Grace Street and State Highway No. 254 to Cokesbury Township line at Coronaca Creek; thence east and south along Coronaca Creek to S. A. L. Railroad; thence west along the north side of S. A. L. Railroad to East Cambridge Street; thence west on north side of East Cambridge to Elm Court.

"*Greenwood* No. 5—Beginning at the intersection of North Main Street and Cambridge Street; thence west on the south side of West Cambridge Street and State Highway No. 72 to Abbeville County line; thence south along Abbeville County line to Verdery Township line; thence southeast along the Verdery Township line to S. C. No. 24-161; thence northeast along S. C. No. 24-161 to S. C. No. 24-148; thence along the north side of S. C. No. 24-148 and West Alexander Street to Southern Railroad; thence north along the west side of Southern Railroad to S. A. L. Railroad overhead bridge; thence north on west side of North Main Street to Cambridge Street.

"*Greenwood* No. 6—Beginning at intersection of the Southern Railroad and West Alexander Street; thence southwest on south side of West Alexander Street and S. C. 24-148 to S. C. 24-161; thence south on east side of S. C. 24-161 to Verdery Township line; thence southwest along Verdery Township line to the Phoenix Township line; thence northeast along the Phoenix, Fellowship and Ninety-Six Township lines to Southern Railroad; thence north along west side of Southern Railroad to intersection of West Alexander Street.

"The wards of the City of Greenwood shall be constituted by the description herein designated for Greenwood Precincts 1, 2, 3, 4, 5 and 6, respectively, coexistent with the boundaries of such precincts to their conjunction with the city limits."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of February, 1965.

(R24, H1063)

No. 17

An Act To Ratify An Amendment To Section 5 Of Article X Of The Constitution Of This State Limiting The Bonded Indebtedness of Political Subdivisions, So As To Increase The Limitation Upon The Bonded Indebtedness of School District No. 5 Of Richland County, And To Eliminate Consideration Of Such Indebtedness As To Other Political Entities Covering The Same Territory.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Amendment to Article X, Section 5, State Constitution, ratified—bonded indebtedness Richland County School District 5.—The amendment to Section 5 or Article X of the Constitution of South Carolina, 1895, proposed under the terms of a joint resolution appearing as No. 1344 of the Acts of 1964, in the manner prescribed by Section 1 of Article XVI of the Constitution of South Carolina, 1895, and a favorable vote having been received thereon, the amendment is ratified and declared to form a part of the Constitution so there will be added at the end of Article X, Section 5 of the Constitution of South Carolina, 1895, the following: "*Provided,* that the limitations imposed by Section 5 of Article X

are removed for School District No. 5 of Richland County and such district may impose a bonded indebtedness not exceeding thirty per cent of the assessed value of the taxable property in the district. The bonded indebtedness of School District No. 5 of Richland County shall not be considered in determining the power to incur bonded indebtedness by Richland County or by any political subdivision of Richland County or of the State wholly covering or partially extending over the territory of School District No. 5 of Richland County."

Ratified the 2nd day of February, 1965.

(R25, H1067) **No. 18**

An Act To Ratify An Amendment To Section 5, Article X, Of The Constitution Of South Carolina, 1895, Relating To The Limit Of Bonded Indebtedness Of Certain Political Subdivisions, So As To Increase The Limit In Bamberg County School District No. 2.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Amendment to Article X, Section 5, State Constitution, ratified—bonded indebtedness of Bamberg County School District 2.—The amendment to the ninety-second paragraph of Section 5, Article X, of the Constitution of South Carolina, 1895, proposed under the terms of Joint Resolution No. 1149 of 1964, having been submitted to the qualified electors in the manner prescribed by Section 1 of Article XVI of the Constitution of South Carolina, 1895, and a favorable vote having been received thereon, is ratified and declared to form a part of the Constitution, so that the ninety-second paragraph of Section 5, Article X, of the Constitution of South Carolina, 1895, shall read as follows: "*Provided,* that the limitations as to bonded indebtedness imposed by this section shall not apply to Bamberg County School Districts Nos. 1 and 3, and that these districts may incur bonded indebtedness for school purposes to an amount not exceeding ten per cent of the assessed valuation of all taxable property therein; *provided,* further, Bamberg County School District No. 2 may incur bonded indebtedness for school purposes to an amount not exceeding twenty-five per cent of the assessed valuation of all taxable property therein."

Ratified the 2nd day of February, 1965.

(R27, H1077) **No. 19**

An Act To Amend Section 38-61.1, Code Of Laws Of South Carolina, 1962, As Amended, Relating To The Drawing Of Petit Jurors, So As To Remove Newberry County From The Provisions.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 38-61.1 not to apply to Newberry County.—Notwithstanding the provisions of Section 38-61.1, Code of Laws of South Carolina, 1962, as amended, they shall not be applicable in Newberry County.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of February, 1965.

(R28, H1086) **No. 20**

An Act To Amend Section 65-1571, Code Of Laws Of South Carolina, 1962, Relating To Tax Exemptions For Certain Manufacturing Enterprises In Union County, So As To Provide Exemptions For Additions To Such Manufacturing Enterprises.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 65-1571 amended—tax exemptions for certain manufacturers in Union County.—Section 65-1571, Code of Laws of South Carolina, 1962, is amended by adding the following at the end thereof: "Additions to such manufacturing enterprises including land, buildings, machinery or equipment, costing not less than fifty thousand dollars shall also be exempt from all county and municipal taxes, except school taxes, for a period of five years from the completion of such additions." The section when amended shall read as follows:

"Section 65-1571. All manufacturing enterprises located in Union County, including buildings and real estate devoted to the housing of such manufacturing enterprises, when the cost of the plant or the cost of the buildings, machinery and real estate is not less than fifty thousand dollars, shall be exempt from all county and municipal taxes for a period of five years from the establishment of such manufactur-

ing enterprises. Additions to such manufacturing enterprises including land, buildings, machinery or equipment, costing not less than fifty thousand dollars shall also be exempt from all county and municipal taxes, except school taxes, for a period of five years from the completion of such additions."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of February, 1965.

(R29, H1092) **No. 21**

An Act To Amend Section 2-285, Code Of Laws Of South Carolina, 1962, Relating To Properties Of The Walterboro-Colleton County Airport Commission, So As To Further Provide For Its Disposition.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 2-285 amended—property of Walterboro-Colleton Airport Commission.—Section 2-285, Code of Laws of South Carolina, 1962, is amended by adding at the end the following: *"Provided,* that whenever the Colleton County Resources and Development Board advises the Commission that a desirable industry wishes to locate a facility upon properties owned by the Commission and that the establishment of the industry will be economically beneficial to the citizenry of the county, the Commission may sell any of its surplus property for such industry purposes without having it appraised and for such amount and under such terms as it deems advisable." The section when amended shall read as follows:

"Section 2-285. All real, personal and mixed property acquired from the United States of America shall be maintained intact for the uses and purposes for which it was purchased. But if the Walterboro-Colleton County Airport Commission shall by appropriate resolution determine that any of such real or personal property or buildings or structures thereon are surplus to the needs for the purposes of this article and there are no restrictions on the use or disposal of such real or personal property under the deeds of the United States of America, the Commission may, after an appraisal of the value of such property by two competent disinterested ap-

praisers, sell, dispose, transfer and convey any such real, personal or mixed property and give a good and valid title therefor and may sell the land, buildings and structures either at public auction or by sealed bids or by negotiated private sale for sums not less than the appraised value, after having given reasonable notice of the availability of such real, personal or mixed property for purchase. *Provided,* that whenever the Colleton County Resources and Development Board advises the Commission that a desirable industry wishes to locate a facility upon properties owned by the Commission and that the establishment of the industry will be economically beneficial to the citizenry of the county, the Commission may sell any of its surplus property for such industry purposes without having it appraised and for such amount and under such terms as it deems advisable."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of February, 1965.

(R30, H1112) **No. 22**

An Act Authorizing The City Of Florence, In Florence County, To Lease Property For Off-Street Parking.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. City of Florence may lease property for parking.—The City of Florence may, by unanimous vote of the city council, enter into leases from time to time for property to be used for off-street parking under such terms and conditions as the city council may unanimously agree upon. Such leases shall be executed by the mayor and clerk on behalf of the city.

SECTION 2. Fees and revenue.—The city is authorized to establish a schedule of parking fees to be paid by those utilizing such parking facilities. All revenue derived from such leased premises shall first be applied toward payment of rents thereon. The balance shall be expended in such a manner as may be deemed proper by the city council.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of February, 1965.

(R31, H1113) **No. 23**

An Act To Create The Union County Commission For Higher Education And To Make Provision For Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Union County Commission for Higher Education created.—There is hereby created the Union County Commission for Higher Education. This body, hereinafter called the Commission, shall be composed of seven members who shall be appointed by the Governor on the recommendation of a majority of the Union County Legislative Delegation, including the Senator. The commissioners shall be appointed for terms of four years each and shall serve until their successors shall have been appointed and qualify; *provided,* that three of the seven commissioners initially appointed shall be appointed for terms of two years, with their successors to be appointed thereafter for full four-year terms.

The Superintendent of Education for Union County shall, by virtue of his office, be an ex officio member of the Commission.

At their first meeting the commissioners shall elect a chairman, vice-chairman, secretary, and treasurer from among their members and proceed to organize and adopt such rules and procedures as may seem desirable to carry out their duties.

To facilitate its work the Commission is hereby authorized to appoint from Union County, and from such adjacent areas as deemed appropriate, an Educational Advisory Committee consisting of not less than ten nor more than fifteen members which shall meet and consult with the Commission from time to time, as may be required. All members of the Commission and of the Educational Advisory Committee shall serve without compensation or fees.

SECTION 2. Meetings.—The Commission may meet at such times and in such places as to the majority of the members seems most desirable. Meetings may be called by the chairman of the Commission or on the written request and signatures of three members.

SECTION 3. Purpose.—The Commission shall have as its purpose the encouragement of higher education in Union County and adjacent areas and, more specifically, the establishment in Union County of facilities to offer standard freshman and sophomore college courses, and such other courses as deemed desirable.

SECTION 4. Powers and duties.—To carry out this purpose and objective, the Commission, with the approval of a majority of its members, shall be empowered to enter into contracts, make binding agreements, negotiate with educators and educational institutions and, generally, to take such actions in its name as are necessary to secure for Union County and adjacent areas the educational facilities above-described; *provided,* that the County of Union shall not be bound nor held liable for any acts of omission or commission of the Commission, nor by any provision of any contract or agreement, expressed or implied, except upon the written approval and consent of a majority of the Union County Legislative Delegation, including the Senator.

The Commission may solicit funds and accept donations from various sources which it may expend in carrying out its objective.

SECTION 5. Records and report.—The Commission shall keep accurate and detailed records of its meetings and actions and shall, as soon after June thirtieth of each year as is feasible, submit a written report to the Union County Legislative Delegation which shall include an accounting of all funds the Commission may have received and disbursed in the twelve months preceding that date.

SECTION 6. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of February, 1965.

(R32, H1119) **No. 24**

An Act To Amend Section 65-1552, Code of Laws Of South Carolina, 1962, As Amended, Relating To New Manufacturing Establishments In Edgefield County, So As To Make The Pro-

visions **Applicable To All New Manufacturng Establishments Having Certain Capital Investments.**

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 65-1552 amended—tax exemptions for manufacturers in Edgefield County.—Section 65-1552, Code of Laws of South Carolina, 1962, as amended, is further amended by striking it out and inserting in lieu thereof the following:

"Section 65-1552. All new manufacturing establishments located in Edgefield County with a capital of not less than twenty-five thousand dollars actually invested in the county and employing an average of at least fifteen employees for at least six months of each year shall be exempt from the payment of county and all other taxes, except school taxes, for a period of five years from the date of the establishment thereof. *Provided,* any such establishment which is exempt from school taxes on May 1, 1963, shall continue to be so exempt for the period of time for which such exemption was granted."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the **4th day of February, 1965.**

(R33, S11) **No. 25**

An Act To Ratify The Amendment To Section 5 Of Article X Of The Constitution, Relating To The Limit Of Bonded Indebtedness Of Certain Political Subdivisions, So As To Permit Dillon County To Incur Bonded Indebtedness For School Purposes In An Amount Not Exceeding Fifteen Per Cent Of The Assessed Value Of All Taxable Property Within The County And To Exclude Such Indebtedness From The Limitation Of Aggregate Indebtedness Upon Any Territory In The County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Amendment to Article X, Section 5, State Constitution, ratified—bonded indebtedness of Dillon County.—The amendment to Section 5 of Article X of the Constitution of South Carolina, 1895, proposed under the terms of the Joint Resolution appearing as Act 1204 of 1964, having been submitted to the quali-

fied electors at the general election in 1964 in the manner prescribed by Section 1 of Article XVI of the Constitution of South Carolina, 1895, and a favorable vote having been received thereon, the amendment is ratified and declared to form a part of the Constitution, so that there will be added at the end of Article X, Section 5, the following: *"Provided,* that Dillon County may incur bonded indebtedness for school purposes in an amount not exceeding fifteen per cent of the assessed value of all taxable property in the county, and such indebtedness shall not be considered in determining the aggregate debt limitation imposed by this section."

Ratified the 10th day of February, 1965.

(R35, S59) **No. 26**

An Act To Amend Sections 14-400.391 And 14-400.392, Code Of Laws Of South Carolina, 1962, Relating To The Lee County Industrial Planning Board, So As To Change The Name, The Composition Thereof And The Terms Of Certain Members And Officers.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 14-400.391 amended—Lee County Development Board established.—Section 14-400.391, Code of Laws of South Carolina, 1962, is amended to read as follows:

"Section 14-400.391. There is hereby established for Lee County a Board to be known as the Lee County Development Board consisting of seven members composed of the following:

(1) The chairman of the county school board, ex officio;

(2) One person designated by the mayor and councilmen of the Town of Bishopville from their number, ex officio;

(3) One person designated by the mayor and councilmen of the Town of Lynchburg from their number, ex officio;

(4) The Senator and the member of the House of Representatives of the county, ex officio; and

(5) Two citizens of Lee County interested in obtaining new industry for the county who shall be appointed by the Governor upon the recommendation of the Senator and the Representative from the

county. Each shall hold office for a term of two years and until his successor is appointed and qualifies."

SECTION 2. Section 14-400.392 amended—officers.—Section 14-400.392, Code of Laws of South Carolina, 1962, is amended by striking the words "two years" on line three and inserting in lieu thereof the words "one year" so that when amended the section shall read as follows:

"Section 14-400.392. The Board shall elect from its number a chairman, a vice-chairman and a secretary, who shall serve for a term of one year and until their successors are elected by the Board."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of February, 1965.

(R36, S61)

No. 27

An Act To Vest The General Powers And Duties Of Boards Of Commissioners Of Public Works Upon The Town Council Of The Town Of Ridgeland, In Jasper County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Town of Ridgeland not to have Board of Commissioners.—Notwithstanding any provision of law to the contrary, in the Town of Ridgeland, in Jasper County, there shall be no Board of Commissioners of Public Works, and the powers and duties vested by general law in such boards in other cities and towns shall be vested in the Town Council of the Town of Ridgeland.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of February, 1965.

(R37, H1006) **No. 28**

An Act To Amend Section 23-159 Of The 1962 Code, Establishing Voting Precincts In Barnwell County, So As To Strike Therefrom Certain Precincts And To Add Other Precincts Thereto.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 23-159 amended—Barnwell County voting precincts.—Section 23-159 of the 1962 Code is amended by striking therefrom certain precincts and adding thereto other precincts which shall be Barnwell No. 1, Barnwell No. 2 and Oak Grove, and by adding a new paragraph at the end thereof to read as follows:

"Barnwell No. 1 shall have its voting place immediately in front of the courthouse and only those electors whose last names begin with A through L shall vote at this place. Barnwell No. 2 shall have its voting place between the courthouse and the county office building and only those electors whose last names begin with M through Z shall vote at this place." When amended the section shall read as follows:

"Section 23-159. In Barnwell County there shall be voting precincts as follows: Barnwell No. 1; Barnwell No. 2; Blackville; Boiling Springs; Double Pond; Elko; Friendship; Kline; Healing Springs; Hercules; Hilda; Oak Grove; Snelling; Reedy Branch; Rosemary; Siloam; Williston; and Yenome.

Barnwell No. 1 shall have its voting place immediately in front of the courthouse and only those electors whose last names begin with A through L shall vote at this place. Barnwell No. 2 shall have its voting place between the courthouse and the county office building and only those electors whose last names begin with M through Z shall vote at this place."

SECTION 2. Registration books.—The Barnwell County Legislative Delegation shall see that the registration books shall be prepared so that the electors shall be registered to vote at the proper precincts.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of February, 1965.

(R38, H1049) **No. 29**

An Act To Authorize The Town Council Of The Town Of Windy Hill Beach In Horry County To Levy An Annual Tax Not Exceeding Sixty Mills Upon All Of The Taxable Property In The Town.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Town of Windy Hill Beach may levy annual tax. —Notwithstanding the provisions of Section 47-161, Code of Laws of South Carolina, 1962, the Town Council of the Town of Windy Hill Beach in Horry County may by ordinance impose an annual tax upon all real and personal property within the corporate limits of the town, not exceeding sixty mills on every one dollar of assessed valuation of such property.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of February, 1965.

(R40, H1078) **No. 30**

An Act To Amend Act No. 1061 of 1964, Relating To The Juvenile And Domestic Relations Court For Spartanburg County, So As To Increase The Membership Of The Board And To Provide For The Appointment Of An Acting Judge, A Constable, And To Further Provide For The Jurisdiction And Authority Of The Court.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Item (c), Section 1 of Act 1061 of 1964 amended —advisory board.—Item (c) of Section 1 of Act No. 1061 of 1964 is amended by striking the word "four" on line four and inserting "six" and by inserting on line eight after "qualifies." "Members of the board shall not be eligible for reappointment." The item, when amended, shall read as follows:

"(c) There shall be an Advisory Board for the Children's Division. The Advisory Board of the Children's Division shall be composed of seven members who shall be appointed by the Governor for

terms of six years upon the recommendation of a majority of the Legislative Delegation of Spartanburg County. The present members of Children's Court Board shall continue to serve until the terms prescribed in their present commissions expire or until their successor qualifies. Members of the board shall not be eligible for reappointment. The Advisory Board shall elect one of its members as chairman, one as secretary and shall hold such meetings at such times and places as the Advisory Board may determine. The duties of the board shall be to advise and to cooperate with the Children's Division of the court and its probation officers in all matters appertaining to the moral, legal, physical and spiritual welfare of all children within the county and the cities thereof."

SECTION 2. Item (d), Section 3 of Act 1061 of 1964 amended —acting judge.—Item (d) of Section 3 of Act No. 1061 of 1964 is amended by inserting after "appoint," on line three the following: "for not more than one year at a time,". The item, when amended, shall read as follows:

"(d) In case of the absence of the judge due to illness, vacation or otherwise, a majority of the Spartanburg Legislative Delegation may appoint, for not more than one year at a time, in writing, an attorney of the Spartanburg County Bar, meeting the requirements and qualifications herein specified for selection as judge, to serve during such vacancy and he shall have all of the powers and duties imposed by this act upon the judge of the court. The acting judge shall receive as compensation on a per diem basis the rate of pay provided for the regular judge. In case of the death or resignation of the judge, upon the recommendation of a majority of the legislative delegation, the Governor shall appoint a successor to serve the remainder of the unexpired term."

SECTION 3. Section 4 of Act 1061 of 1964 amended—appointment of personnel.—Section 4 of Act No. 1061 of 1964 is amended by adding at the end the following: "The judge may appoint a constable to serve both civil and criminal process under the direction of the court. He shall be clothed with the general powers of a deputy sheriff and shall be bonded in the amount of five hundred dollars before he takes the oath. He shall assist the Deputy Sheriff of Spartanburg County serve civil process when called upon to do so and when his duties do not require him to attend this court." The section, when amended, shall read as follows:

"Section 4. All appointments of personnel under the authority of this act shall be made by the judge. The judge shall employ probation officers and stenographers and clerical assistants at salaries to be approved by the legislative delegation. There shall be a stenographer-clerk who shall attend to the affairs of the office and keep it open during the regular working hours observed by other courthouse employees. There shall be sufficient probation officers who shall be persons of special training to work with children and domestic problems. They shall make investigations, including the status of probations, and perform other duties upon the direction of the judge. The judge may appoint a constable to serve both civil and criminal process under the direction of the court. He shall be clothed with the general powers of a deputy sheriff and shall be bonded in the amount of five hundred dollars before he takes the oath. He shall assist the Deputy Sheriff of Spartanburg County serve civil process when called upon to do so and when his duties do not require him to attend this court."

SECTION 4. Act 1061 of 1964 amended—Section 6A added—court to be a continuation of Children's Court of Spartanburg County.—Act No. 1061 of 1964 is amended by adding Section 6A to read as follows:

"Section 6A. The juvenile and domestic relations court is hereby declared to be a continuation of the Children's Court of Spartanburg County. All records, petitions, orders and reports of the children's court are hereby declared to be the records, petitions, orders and reports of the juvenile and domestic relations court, and are enforceable, amendable, and terminal in this court as if they had originated with it."

SECTION 5. Section 7 of Act 1061 of 1964 amended—jurisdiction in divorce cases, etc.—Section 7 of Act No. 1061 of 1964 is amended by adding after the word "children", on line five the following: "both legitimate and illegitimate," and by adding after the word "legitimacy" on line eight the following: "and paternity". The section, when amended, shall read as follows:

"Section 7. The court shall have concurrent jurisdiction with the circuit court in cases of divorce, separate maintenance proceedings, annulment proceedings, proceedings to determine status of marriage, civil proceedings for the support of wife and dependent children, both legitimate and illegitimate, proceedings to terminate

parent-child relationships, proceedings for judicial consent to the employment, marriage or enlistment of a minor, and proceedings to determine legitimacy and paternity of children. Included in this jurisdiction is the judicial power to grant provisional or interlocutory relief as well as final relief and the power to enforce all orders or decrees it may issue."

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of February, 1965.

(R41, H1061) **No. 31**

An Act To Ratify An Amendment To Section 34, Article III, Of The Constitution Of South Carolina, 1895, Relating To The Prohibition of Special Laws, So As To Permit The Establishment Of A Civil Service Commission In The City Of Spartanburg.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Amendment to Article III, Section 34, State Constitution, ratified—City of Spartanburg may have civil service commission.—The amendment to Section 34, Article III, of the Constitution of South Carolina, 1895, proposed under the terms of Joint Resolution No. 1354 of 1964, having been submitted to the qualified electors at the general election in 1964, in the manner prescribed by Section 1 of Article XVI of the Constitution of South Carolina, 1895, and a favorable vote having been received thereon, the amendment is ratified and declared to form a part of the Constitution, so that there will be added at the end of Section 34 of Article III, of the Constitution of South Carolina, 1895, the following: "*Provided,* there is hereby created a civil service commission in the City of Spartanburg for the benefit of the police department, including its chief, and fire department, including its chief, under such terms and conditions as prescribed by the General Assembly."

Ratified the 10th day of February, 1965.

(R42, H1100) **No. 32**

An Act Providing For The Terms Of Office Of The Town Council Of The Town Of Elgin In Kershaw County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Terms of mayor and councilmen for Town of Elgin.—Notwithstanding the provisions of Section 47-111, Code of Laws of South Carolina, 1962, the Mayor and Councilmen of the Town of Elgin in Kershaw County shall be elected for terms of two years.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of February, 1965.

(R43, H1114) **No. 33**

An Act To Provide For Additional Powers And Duties Of The Magistrate At St. George In Dorchester County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. St. George magistrate—additional duties—office space.—In addition to the duties now imposed by law upon the magistrate at St. George in Dorchester County, he shall be responsible for the maintenance and upkeep of the county courthouse, grounds and office buildings, and shall be responsible for furnishing the other magistrates in the county with necessary supplies.

The magistrate shall be furnished an office in the courthouse or office building and shall maintain the same office hours as other county officials.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of February, 1965.

(R44, H1123) **No. 34**

An Act To Provide For A Deputy County Auditor For Newberry County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Newberry County may appoint deputy auditor.—Upon recommendation of the Newberry County Legislative Delegation, the Governor shall appoint a deputy county auditor for Newberry County. In the event the county auditor shall become incapacitated through illness or otherwise become unable to perform the duties of the office, the deputy auditor shall exercise all powers and duties now devolved upon the County Auditor for Newberry County.

The deputy county auditor shall execute a surety bond in the same amount and manner and under the same conditions as are required of the county auditor for Newberry County.

The compensation of the deputy county auditor shall be such as is provided in the annual county appropriations act.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of February, 1965.

(R47, H1133) **No. 35**

An Act To Amend Section 65-1523, Code Of Laws Of South Carolina, 1962, As Amended, Relating To The Exemption From Taxation Of Property Owned By The Grand Lodge Of Ancient Free Masons Of South Carolina, So As To Correct The Name Of The Lodge.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 65-1523 amended—property of Grand Lodge of Ancient Free Masons exempt from taxation.—Section 65-1523, Code of Laws of South Carolina, 1962, as amended by Act No. 1064 of 1964, is further amended by striking the word "and" on line three of the item, so that when amended the item shall read as follows:

"( ) Grand Lodge of Ancient Free Masons of South Carolina.—All real and personal property owned by the Grand Lodge of Ancient Free Masons of South Carolina situated at the corner of Marion and Senate Streets in the City of Columbia shall be exempt from all local, county, school, municipal and special taxes, such exemption to any such property to cease, however, upon the transfer of the title thereto to any other person whomsoever."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of February, 1965.

(R48, H1138)

No. 36

An Act To Amend Section 15-273, Code Of Laws Of South Carolina, 1962, Providing A Memorial Day For Deceased Members Of The Richland County Bar, So As To Permit The Resident Judge Of The Fifth Judicial Circuit To Fix The Day For Memorial Services.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 15-273 amended—Memorial Day for deceased members of Richland County Bar.—Section 15-273, Code of Laws of South Carolina, 1962, is amended by striking it out and inserting in lieu thereof the following:

"Section 15-273. The resident judge of the Fifth Judicial Circuit shall set aside and designate a day in the month of June as Memorial Day, at which time memorial exercises shall be held for the members of the Richland County Bar who have died during the previous months. On memorial day when exercises are held no other business shall be taken up by the court."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of February, 1965.

(R49, S76) **No. 37**

An Act To Ratify An Amendment To Section 13, Article II Of The Constitution Of South Carolina, 1895, So As To Permit Elections To Be Held In The City Of Columbia Upon The Question Of Incurring Bonded Debt For Any Corporate Purpose Without There Being First Presented To The City Council Of The City Of Columbia A Petition Signed By A Majority Of The Freeholders Of The City Seeking And Authorizing The Holding Of Such Elections.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Amendment to Article II, Section 13, State Constitution, ratified—City of Columbia may hold election concerning bonded indebtedness without petition.—The amendment to Section 13, Article II of the Constitution of the State of South Carolina, 1895, proposed under the terms of a joint resolution appearing in the Acts of 1964 as No. 1342 having been submitted to the qualified electors in the manner prescribed by Section 1 of Article XVI of the Constitution of South Carolina, and a favorable vote having been received thereon the amendment is ratified and declared to form a part of the Constitution so that there shall be added at the end of Section 13 of Article II the following: *"Provided,* that the General Assembly need not prescribe any such petition of freeholders as a condition precedent to the holding of any such election in the City of Columbia where the proceeds of the bonds to be authorized are used for any corporate purpose of the City of Columbia. It is intended that the term 'City of Columbia' as used in this amendment shall mean the City of Columbia with corporate limits as now constituted or as hereafter altered following merger, annexation, or modification of corporate limits."

Ratified the 16th day of February, 1965.

(R50, S77) **No. 38**

An Act To Amend The Code Of Laws Of South Carolina, 1962, So As To Add New Section 14-400.624:1 To Provide That Electricity Shall Not Be Furnished New Buildings, Facilities Or Saw

Services Until A Building Permit Is Obtained In Counties Containing A Municipality Of Over Ninety-Seven Thousand Inhabitants According To The Latest Official United States Census; To Require Notification To The County Assessor When Electric Service Is Connected And To Repeal Act No. 752 Of 1962, Relating To The Prohibition Against Furnishing Electricity Before A Building Permit Is Obtained.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 14-400.624:1 added—electricity not to be furnished without building permit.—The Code of Laws of South Carolina, 1962, is amended by adding a new section to be Section 14-400.624:1 which shall read as follows:

"Section 14-400.624:1. It shall be unlawful for any electric utility company or rural electric cooperative to make a new connection of electrical energy to a new building or facility requiring a permit under this act unless such permit was acquired for the construction of the building or facility or to a saw service. Any company or cooperative making such a connection shall report to the county assessor on or before the tenth of each month the location of each such connection, together with such other information as the assessor may direct."

SECTION 2. Act 752 of 1962 repealed.—Act No. 752 of 1962 is repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of February, 1965.

(R51, S78) **No. 39**

An Act To Amend Section 65-1851, Code Of Laws Of South Carolina, 1962, Relating To Notice Of Increase Of Assessment And Appeal Therefrom, So As To Provide That In Richland County Notice Of Increase Of Assessment Shall Be Given By The County Assessor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 65-1851 amended—notice of increases of assessment and appeal therefrom—special provisions for Rich-

land County.—Section 65-1851, Code of Laws of South Carolina, 1962, is amended by adding at the end the following: *"Provided,* that in Richland County the notice required herein shall be given by the county assessor and appeals shall be made to the Richland County board of assessment appeals." The section when amended shall read as follows:

"Section 65-1851. Whenever the valuation and assessment of any property is fixed by any such board at a sum greater by one hundred dollars or more than the amount returned by the owner or his agent, or whenever any property is valued and assessed for taxation which has not been previously returned or assessed, the county auditor shall, on or before the fourth Monday in March, or as soon thereafter as may be practicable, in the year in which the valuation and assessment is made, give to the owner of such property or his agent written notice thereof. Such notice may be served upon such owner or his agent personally or by mailing it to such person or his agent at his last known place of residence, and such owner or his agent, if he objects to such valuation and assessment, may appeal to the county board of equalization, and such appeal shall be heard by such county board. The account of the county auditor for the necessary stationery and postage to enable him to give the notice required in this section shall be a valid claim against the county and shall be paid as other county claims are paid. *Provided,* that in Richland County the notice required herein shall be given by the county assessor and appeals shall be made to the Richland County board of assessment appeals."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of February, 1965.

(R54, H1058) **No. 40**

An Act To Ratify An Amendment To Section 5, Article X, Of The Constitution Of South Carolina, 1895, Relating To Taxes For Corporate Purposes, So As To Increase The Bonded Debt Limitation For James Island School District No. 3 Of Charleston County In An Amount Not Exceeding Fifteen Per Cent Of The Assessed Value Of All Taxable Property Therein.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Amendment to Article X, Section 5, State Constitution, ratified—bonded indebtedness of James Island School District 3 of Charleston County.—The amendment to Section 5 of Article X of the Constitution of the State of South Carolina, 1895, proposed under the terms of a Joint Resolution appearing in the Acts of 1964 as No. 1176 and proposing to amend the Constitution by authorizing James Island School District No. 3 of Charleston County, the State of South Carolina, to incur bonded indebtedness of not exceeding fifteen per cent of the assessed value of taxable property in the school district, and further providing that the bonded indebtedness of James Island School District No. 3 shall not affect or limit the power of Charleston County or other political subdivisions or municipal corporations covering or extending over any portion of the territory of the school district to incur bonded indebtedness, having been submitted to the qualified electors in the manner prescribed by Section 1 of Article XVI of the Constitution of South Carolina, and a favorable vote having been received thereon, the amendment is ratified and declared to form a part of the Constitution so that there will be added at the end of Section 5, Article X the following: "*Provided,* that the limitations imposed by Section 5, Article X, are removed for James Island School District No. 3 of Charleston County, the State of South Carolina, and such District may incur bonded indebtedness of not exceeding fifteen per cent of the assessed value of the taxable property in the District. Indebtedness incurred within this limitation shall not affect or limit the power of Charleston County or other political subdivisions or municipal corporations covering or extending over any portion of the territory of the District to incur bonded indebtedness."

Ratified the 16th day of February, 1965.

(R55, H1087)

No. 41

An Act To Create The Charleston County Economic Opportunity Commission And To Prescribe Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Charleston County Economic Opportunity Commission created.—There is hereby created the Charleston County Economic Opportunity Commission.

SECTION 2. To be corporate body.—The commission is hereby declared to be a body politic and corporate and shall exercise and enjoy all the rights and privileges of such.

SECTION 3. Members and compensation.—The commission shall not exceed eleven members. One shall be a member of the county council and one shall be a member of the Charleston City Council. All members shall be residents of the county and shall be appointed by the Governor upon recommendation of a majority of the county legislative delegation, including the senator. The members of the commission shall serve without compensation.

SECTION 4. Terms and vacancies.—The term of office of the members of the commission shall be for one year or until their successors are appointed and qualify. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor.

SECTION 5. Officers.—Immediately upon the appointment of the commission, it shall organize by electing one of its members as chairman, a second as vice chairman and a third as secretary and treasurer. The commission shall file a record of its members in the office of the Clerk of Court for Charleston County.

SECTION 6. Powers and duties.—The commission shall be responsible for the improvement of communication and cooperation among existing and future programs and the administration of one or more new programs designed to improve the health, education, welfare, housing or employment of the residents of Charleston County. To this end the commission shall be empowered as follows:

(a) to sue and be sued;

(b) to adopt, use and alter a corporate seal;

(c) to make by-laws for the management and regulation of its affairs;

(d) to appoint agents, employees and servants, to prescribe their duties, to fix their compensation, to determine if and to what extent they shall be bonded for the faithful performance of their duties;

(e) to undertake the improvement of communication and cooperation among existing and future programs administered by federal, state, county and municipal governmental agencies and private nonprofit organizations designed to improve the health, education, wel-

fare, housing or employment of the county residents and, with the consent of such agencies and organizations, to coordinate same;

(f) to enter into contracts and agreements for performance of its programs and duties with federal, state, county and municipal governmental agencies and subdivisions thereof, and private nonprofit organizations;

(g) to accept and receive funds for the performance of its duties in the administration of its programs from such governmental agencies and subdivisions thereof and private nonprofit organizations, as well as any other sources;

(h) to designate an executive committee from among the members of the commission to which may be delegated one or more duties and responsibilities of the commission and, from time to time, to appoint one or more sub-committees composed of residents of Charleston County to advise and assist in the administration of its program and the performance of its duties;

(i) to maintain adequate accounts and records of its activities, receipts and expenses in conformance with requirements of any contract or agreement with any federal, state, county or municipal governmental agency, or subdivision thereof, or any private nonprofit organization; and

(j) to acquire, own or hold in trust, preserve, restore, maintain or lease property, facilities and equipment reasonably necessary for the performance of its duties and the administration of its programs.

SECTION 7. Exempt from taxes.—All property of the commission shall be exempt from all ad valorem taxes levied by Charleston County or municipality therein, or any division, subdivision or agency thereof, directly or indirectly.

SECTION 8. Fiscal year and audit.—The commission shall conduct its affairs on the fiscal year basis employed by Charleston County. As shortly after the close of its fiscal year as may be practicable an audit of its affairs shall be made by a certified public accountant in good standing, to be designated by the commission. Copies of such audit, incorporated into an annual report of the commission, shall be filed with the secretary of the Charleston County Legislative Delegation and the chairman of County Council for Charleston County.

SECTION 9. Contracts not to be impaired.—The right to alter, amend or rescind this act is hereby expressly reserved and disclosed,

but no such amendment or repeal shall operate to impair the operation of any contract otherwise made by the authority pursuant to any power conferred by this act.

SECTION 10. When action may be taken.—Any action required of the commission may be taken at any regular or special meeting, and at such meeting a majority of the members shall constitute a quorum.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of February, 1965.

(R56, H1088)

No. 42

An Act To Ratify An Amendment To Section 13, Article II, Of The Constitution Of South Carolina, 1895, So As To Permit Elections To Be Held In The City Of Charleston Upon The Question Of Incurring Bonded Indebtedness For Any Corporate Purpose Without There Being First Presented To The City Council Of The City Of Charleston A Petition Signed By A Majority Of The Freeholders Of The City Seeking And Authorizing The Holding Of Such Elections.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Amendment to Article II, Section 13, State Constitution, ratified—City of Charleston may hold election concerning bonded indebtedness without petition.—The amendment to Section 13, Article II, of the Constitution of South Carolina, 1895, proposed under the terms of a Joint Resolution appearing as No. 1177 of the Acts of 1964, having been submitted to the qualified electors at the general election in 1964 in the manner prescribed by Section 1 of Article XVI of the Constitution of South Carolina, 1895, and a favorable vote having been received thereon, the amendment is ratified and declared to form a part of the Constitution, so that there will be added at the end of Section 13, Article II, of the Constitution of South Carolina, 1895 the following: *"Provided,* that the General Assembly need not prescribe any such petition of freeholders as a condition precedent to the holding of any such election in the City of Charleston where the proceeds of the bonds to be authorized

are used for any corporate purpose of the City of Charleston. It is intended that the term 'City of Charleston' as used in this amendment shall mean the City of Charleston with corporate limits as now constituted or as hereafter altered following merger, annexation, or modification of corporate limits."

Ratified the 16th day of February, 1965.

(R57, H1089) **No. 43**

An Act To Amend Section 65-1523, Code Of Laws Of South Carolina, 1962, Relating To General Exemption From Taxes, So As To Add A New Item Providing For The Exemption From Certain Taxes Of Property Owned By The John Ancrum Society For Prevention Of Cruelty To Animals In Charleston County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 65-1523 amended—property of John Ancrum S. P. C. A. exempt from taxes.—Section 65-1523, Code of Laws of South Carolina, 1962, is amended by adding a new item to read as follows:

"( ) All property owned by the John Ancrum Society for Prevention of Cruelty to Animals in Charleston County shall be exempt from payment of all county, school, municipal and special taxes so long as the property is used for charitable and eleemosynary purposes."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of February, 1965.

(R59, H1111) **No. 44**

An Act To Ratify An Amendment To Section 19, Article V, Constitution Of South Carolina, 1895, Relating To Courts Of Probate, So As To Provide That Jurisdiction In Testamentary And Administrative Matters Pertaining To Minors And Mentally

Incompetent Persons Shall Be Vested As The General Assembly May Provide.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Amendment to Article V, Section 19, State Constitution, ratified—courts of probate—jurisdiction in matters testamentary and of administration.—The amendment to Section 19 of Article V of the Constitution of South Carolina, 1895, proposed under the terms of Joint Resolution No. 1079 of 1964, having been submitted to the qualified electors in the manner prescribed by Section 1 of Article XVI of the Constitution of South Carolina, 1895, and a favorable vote having been received thereon, is ratified and declared to form a part of the Constitution, so that Section 19, Article V, of the Constitution of South Carolina, 1895, shall read as follows:

"Section 19. Jurisdiction in matters testamentary and of administration, in matters appertaining to minors and to persons mentally incompetent, shall be vested as the General Assembly may provide; and until such provision such jurisdiction shall remain as now provided by law."

Ratified the 16th day of February, 1965.

(R60, H1120)

No. 45

An Act To Amend Section 65-1523, Code Of Laws Of South Carolina, 1962, As Amended, Relating To Specific Property Exemptions From Taxation, So As To Exempt Dentsville Masonic Lodge No. 398, A.F.M.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 65-1523 amended—property of Dentsville Masonic Lodge No. 398 exempt from taxes.—Section 65-1523, Code of Laws of South Carolina, 1962, as amended, is further amended by adding the following item:

"( ) All property of Dentsville Masonic Lodge No. 398, A.F.M., shall be exempt from all local, county, school and special taxes."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of February, 1965.

(R61, H1136) **No. 46**

An Act To Provide That The City Manager Of The City Of Greenwood Shall Be An Ex Officio Member Of The City Of Greenwood Planning And Zoning Commission Instead Of The County Supervisor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. City Manager of Greenwood to be member of Planning and Zoning Commission.—Notwithstanding the provisions of Section 47-1022, Code of Laws of South Carolina, 1962, the Greenwood County Supervisor shall not be a member of the City of Greenwood Planning and Zoning Commission. The city manager of Greenwood shall be an ex officio member of the commission.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of February, 1965.

(R62, H1137) **No. 47**

An Act To Amend Sections 65-2449 And 65-2452, Code Of Laws Of South Carolina, 1962, Relating To The Disposition Of Funds Collected And Reports Made By The Tax Collector Of Greenwood County, So As To Provide That The Funds Shall Be Maintained In A Special Bank Account And Remitted And Reported Monthly To The County Treasurer.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 65-2449 amended—disposition of funds collected—expenses.—Section 65-2449, Code of Laws of South Carolina, 1962, is amended by inserting on line three between the words "be" and "paid" the words "maintained in a special bank account and" and by striking beginning on line three the words "at the close of each day" and inserting the word "monthly". The section when amended shall read as follows:

"Section 65-2449. All taxes, fees, costs and charges whatsoever collected or received by the tax collector as provided in this article

shall be maintained in a special bank account and paid to the county treasurer monthly, accompanied by a written itemized report under oath, showing from whom the funds were collected. The expenses incurred for advertisements of sales, mileage and other necessary expenses of his office are to be repaid the tax collector from funds allocated for this purpose in the annual county appropriation act upon the delivery of an itemized statement, under oath, in three counterparts, one of which shall be filed with the treasurer at the time of the refund, one with the secretary of the county legislative delegation and the other at the same time with the finance board of Greenwood County. Such statement shall be subject to the approval of the finance board of Greenwood County."

SECTION 2. Section 65-2452 amended—monthly report.—Section 65-2452, Code of Laws of South Carolina, 1962, is amended by striking on line one the word "daily" and inserting the word "monthly". The section when amended shall read as follows:

"Section 65-2452. The tax collector, in addition to the monthly report required herein, shall at the end of each calendar month make a written report under oath to the treasurer of Greenwood County upon all executions which have been handled by him during such calendar month and in such report shall set forth all errors and duplications, the total amount of taxes collected, all levies which have been made, recommendations, nulla bona proceedings and other pertinent information acquired in the discharge of his duties that may be of value to the county auditor or county treasurer in the performance of their duties with respect to the return, assessment, levy and collection of taxes and shall assist the county auditor in listing upon the tax books all persons who are escaping taxation, in whole or in part. The report shall be made in three counterparts, one of which shall be filed with the county auditor, one with the secretary of the county legislative delegation and the other with the finance board."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of February, 1965.

(R63, H1150) **No. 48**

An Act To Amend Section 65-1959.1, Code Of Laws Of South Carolina, 1962, As Amended, Relating To The Appointment Of Deputy County Treasurers, So As To Make Provision For Such Office In Greenwood County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 65-1959.1 amended—certain counties may appoint deputy county auditors.—Section 65-1959.1, Code of Laws of South Carolina, 1962, as amended, is further amended by striking on line two between the words "treasurer" and "Oconee" the word "or" and inserting in lieu thereof a comma; by inserting on line two between the words "treasurer" and "shall" the words "or Greenwood County treasurer"; by striking on line five between the words "Sumter" and "Oconee" the word "or" and inserting in lieu thereof a comma; and by inserting on line five between the words "Oconee" and "County" the words "or Greenwood". The section, when amended, shall read as follows:

"Section 65-1959.1. If either the Orangeburg County treasurer, Sumter County treasurer, Oconee County treasurer or Greenwood County treasurer shall become unable to perform the duties of his office, a deputy county treasurer may be appointed by the Governor, upon the recommendation of a majority of the Orangeburg, Sumter, Oconee or Greenwood County legislative delegation, as the case may be. Any such deputy treasurer shall exercise all powers and duties now devolved upon the county treasurer until such time as such treasurer is able to resume the duties of his office. Any such delegation of authority shall in no way relieve the treasurer of responsibility or liability under his bond. Any such deputy shall execute a bond payable to the county treasurer for the proper performance of his duties in the same amount required of such treasurer. Any such deputy shall receive such compensation as may be provided for in the annual county appropriation act.

"Provided, in Greenwood County said Deputy County Treasurer shall also serve as a member of the Finance Board for Greenwood County until such time as the Treasurer is able to resume the duties of his office."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of February, 1965.

(R64, H1156)

No. 49

An Act To Amend Section 15-1661.3, Code Of Laws Of South Carolina, 1962, Providing For The Appointment Of Special Judges By The Senior Judge Of The Richland County Judicial System, So As To Extend The Terms Of Such Judges And Permit Their Reappointment In The Same Calendar Year.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 15-1661.3 amended—special judge.—Section 15-1661.3, Code of Laws of South Carolina, 1962, is amended by adding at the end thereof the following: *"Provided, further,* that the appointment of an attorney to serve as special judge of the juvenile and domestic relations court shall be for a term not to exceed six weeks and he may be reappointed to serve any number of terms during a calendar year." The section when amended shall read as follows:

"Section 15-1661.3. On such occasions as the senior county judge may deem necessary, when no other judge or officer of the judicial system is available, he may by formal order appoint as special judge or as other special judicial officer, an attorney who shall have practiced before the bar of this State for not less than five years, to preside in such capacity within the Richland County judicial system as the senior county judge shall provide in his order. *Provided, however,* that the appointment shall be for a term not to exceed two weeks, and the same attorney shall not be so appointed more than once in any calendar year; and *provided, further,* that the Richland County legislative delegation appropriate funds sufficient for the purpose, including compensation for the attorneys so appointed in an amount to be recommended by the senior county judge. *Provided, further,* that the appointment of an attorney to serve as special judge of the juvenile and domestic relations court shall be for a term not to exceed six weeks and he may be reappointed to serve any number of terms during a calendar year."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of February, 1965.

(R65, H1160) **No. 50**

An Act To Create The Sumter County Commission For Higher Education And To Make Provision For Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Sumter County Commission for Higher Education created.—There is hereby created the Sumter County Commission for Higher Education. This body, hereinafter called the commission, shall be composed of seven members who shall be appointed by the Governor on the recommendation of a majority of the Sumter County Legislative Delegation, including the Senator. The commissioners shall be appointed for terms of four years each and shall serve until their successors shall have been appointed and qualify; *provided,* that three of the seven commissioners initially appointed shall be appointed for terms of two years, with their successors to be appointed thereafter for full four-year terms.

At their first meeting the commissioners shall elect a chairman, vice-chairman, secretary, and treasurer from among their members and proceed to organize and adopt such rules and procedures as may seem desirable to carry out their duties.

To facilitate its work the commission is hereby authorized to appoint from Sumter County, and from such adjacent areas as deemed appropriate, an Educational Advisory Committee consisting of not less than ten nor more than fifteen members which shall meet and consult with the commission from time to time, as may be required. All members of the commission and of the Educational Advisory Committee shall serve without compensation or fees.

SECTION 2. Meetings.—The commission may meet at such times and in such places as to the majority of the members seems most desirable. Meetings may be called by the chairman of the commission or on the written request and signatures of three members.

SECTION 3. Purposes.—The commission shall have as its purpose the encouragement of higher education in Sumter County and adjacent areas and, more specifically, the establishment in Sumter County of facilities to offer standard freshman and sophomore college courses, and such other courses as deemed desirable.

SECTION 4. Powers and duties.—To carry out this purpose and objective, the commission, with the approval of a majority of its

members, shall be empowered to enter into contracts, make binding agreements, negotiate with educators and educational institutions and, generally, to take such actions in its name as are necessary to secure for Sumter County and adjacent areas the educational facilities above-described; *provided,* that the County of Sumter shall not be bound nor held liable for any acts of omission or commission of the commission, nor by any provision of any contract or agreement, expressed or implied, except upon the written approval and consent of a majority of the Sumter County Legislative Delegation, including the Senator.

The commission may solicit funds and accept donations from various sources which it may expend in carrying out its objective.

SECTION 5. Records and report.—The commission shall keep accurate and detailed records of its meetings and actions and shall, as soon after June thirtieth of each year as is feasible, submit a written report to the Sumter County Legislative Delegation which shall include an accounting of all funds the commission may have received and disbursed in the twelve months preceding that date.

SECTION 6. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of February, 1965.

(R66, H1161) **No. 51**

An Act To Create The Dorchester County Industrial Planning Board And To Provide For Its Powers And Duties; And To Repeal Article 15, Chapter 8, Title 14, Code Of Laws Of South Carolina, 1962, Relating To The Dorchester County Development Board.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Dorchester County Industrial Planning Board created.—There is hereby created the Dorchester County Industrial Planning Board which shall be composed of five members who shall be appointed by the Governor upon the recommendation

of the legislative delegation. The terms of office of the initial members shall be: one for four years, two for three years and two for two years; thereafter, all terms shall be for four years or until their successors have been appointed and qualify. Any vacancy shall be filled by appointment for the unexpired term.

SECTION 2. Duties.—The board shall encourage the location of industry and the tourist trade and the promotion of adequate markets for the products grown by the farmers of Dorchester County through the institution of an advertising program, through cooperative efforts with municipalities of the county and organizations having similar aims, and through such other activities as will tend to accomplish the purposes of the board.

SECTION 2A. Officers — meetings — compensation.—The board shall elect a chairman and a secretary from its membership. The board shall meet at such times and places as may be determined by the chairman and shall meet at least once each quarter. The members of the board shall serve without compensation but shall be allowed such per diem as authorized by law for boards, commissions and committees when engaged in the business of the board.

SECTION 3. Accept gifts and grants.—The board may accept gifts and grants of money from either private or public sources to be used in the promotion of its program.

SECTION 4. Article 15, Chapter 8, Title 14, repealed.—Article 15, Chapter 8, Title 14, Code of Laws of South Carolina, 1962, is repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of February, 1965.

(R68, H1172)

No. 52

An Act To Create The Newberry County Planning Commission.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Newberry County Planning Commission created.—There is hereby created the Newberry County Planning Com-

mission which shall consist of nine members to be appointed by the Governor, upon the recommendation of the county legislative delegation, for terms of four years and until their successors are appointed and qualify, except that four of the original appointees shall serve for two years only. The length of the terms of each member shall be decided by lot. Vacancies shall be filled for the unexpired portion of the terms in the same manner as the original appointments.

SECTION 2. Officers.—The commission shall elect a chairman and a secretary and such other officers as it deems necessary. The secretary shall certify to the Secretary of State, the county legislative delegation and the clerk of court the names of the members of the commission and their respective terms.

SECTION 3. Records — employees — expenditures — office space.—The commission shall adopt its own rules for the transaction of its business and shall keep a record of its resolutions. transactions, findings and determinations, which record shall be a public record. The commission may appoint such employees as it may deem necessary for its work. The appointment, promotion, demotion and removal of such employees shall be subject to the same provisions of the law as govern other employees of the county. The commission may also contract with planners and other consultants or assistants for such services as it may require. All expenditures of the commission exclusive of gifts or other aid, shall be within the amounts appropriated for the purpose by the county appropriation act. The commission shall be supplied with necessary office space and necessary equipment.

SECTION 4. Use of county employees.—Upon request of the commission, the county supervisor may from time to time, for the purpose of special surveys under the direction of the commission, assign or detail to the commission members of the staff or personnel of any county administrative department, bureau or agency to make special surveys or studies for the commission.

SECTION 5. Duties.—The commission shall:

(a) promote public interest in and understanding of the economic and social necessity for long-term coordinated planning,

(b) confer and cooperate with the Federal, State, municipal and other county and regional authorities regarding matters pertaining to, or affecting the planning or development of Newberry County, de-velopment with that of other political subdivisions and

(c) prepare and keep up to date a long-term coordinated program of public works and budgets therefor, and to that end the various officials, departments and agencies of the county shall cooperate with the commission.

(2) The commission, its members, officers and employees, in the performance of their functions, may enter upon any land and make necessary examinations and surveys.

(3) In general, the commission shall have such powers as may be appropriate to enable it to fulfill its functions and duties, to promote planning and to carry out the purpose of this article.

SECTION 6. Commission to adopt official plan.—The commission shall prepare and adopt an official plan for the physical development for all or part of the county. Such plan, with the accompanying maps, plans and charts and descriptive matter, shall show the Planning Commission's determinations for the devlopment for all or any part of such area including all features of public works which are logically related to, or form an integral part of a long-term coordinated plan for the orderly and economical physical development of the county.

SECTION 7. Adoption of plan.—The commission may adopt the official plan as a whole, or, as the work of preparing the whole plan progresses, may from time to time adopt a part or parts thereof and any such part or parts may cover one or more of the functional subject matters to be included in the plan. The commission may, from time to time, amend, extend or add to the plan or carry any part of the plan into greater detail. The adoption of the plan or any part, amendment, extension or addition shall be by resolution of the commission, carried by the affirmative votes of not less than a majority of the entire membership of the commission. The resolution shall refer expressly to the maps, plans, charts and descriptive matter intended for adoption by the commission which set forth the whole or part of the plan, and the action taken shall be recorded on the maps, plans, charts and descriptive matter by the identifying signature of the chairman of the commission.

SECTION 8. Powers.—The commission shall have authority to make studies and prepare plans covering land use of all lands within the whole or any part of the areas which are subject to the provisions of this act.

The commission may prepare or cause to be prepared a plat dividing such area or parts of areas into zones and may determine the use of land and the character of the buildings located thereon, and, upon the adoption of the plat and regulations by a majority of the commission, they shall be certified to the clerk of court of the county, on which certification a public hearing shall be held within forty-five days from the receipt of such certification, notice of such hearing to be published in a newspaper having general circulation in the county one day each week for four weeks. If after such public hearing the commission determines that such determinations are still desirable and that their adoption will tend to promote the public health, safety, morals and general welfare and encourage the use of the lands in accordance with their character and adaptability and will limit the improper use of such lands, then the commission shall by order approve such recommendation, plan and supporting maps or any portion thereof, and thereafter all properties within the zones as set out in the order shall be subject to the uses set forth in the plans, maps and explanatory specifications which shall be filed for record in the office of the clerk of court of the county. Nothing contained in this act, however, shall be construed to authorize the commission to regulate the cost of buildings and structures.

The order shall include provisions for the enforcement of the zoning regulations.

SECTION 9. Owners may petition for changes in zoning.—The owner of land may petition the commission for any change in zoning to reduce the restriction thereon, and it shall be the duty of the commission to review such petition. On the last Monday in February, May, August and November of each year the commission shall hear the petitions for amendments thereon filed since the last hearing. A notice of the hearing shall be published not more than thirty days nor less than seven days preceding the date for the hearing in a newspaper of general circulation in the county. The commission by order shall deny or approve the petitions and the order amending the plat, maps and specifications shall be filed with the clerk of court of that county.

SECTION 10. Commission may reclassify areas.—The commission, by a majority vote, may reclassify or rezone any of the zoned areas or may classify or zone areas theretofore unzoned or classified and shall certify its determinations for public hearing thereon as

provided in Section 8, and after such hearing, the commission shall file its order thereon with the clerk of court of the county.

SECTION 11. Not to affect existing buildings.—The powers as outlined in this act, and specifically in Sections 8 to 10, shall not be exercised so as to deprive the owner of the use of land or of any existing buildings for the purpose to which they are lawfully devoted at the time of the order of the commission zoning or rezoning lands.

SECTION 12. Commission may control certain subdivisions.—Whenever the commission shall have adopted an official highway plan or part thereof and shall have filed a certified copy of such plan in the office of the clerk of court, the commission shall have the same authority to control the subdivision of land in the area as is granted to municipalities by law. Before exercising the above authority, the commission shall adopt and make available rules and regulations governing the subdivision of land.

SECTION 13. Unlawful acts.—It shall be unlawful to erect, construct, reconstruct, alter, maintain or use any land, building or structure in violation of any order of the commission.

For enforcement of its orders the commission shall certify any violation to the county attorney, and the county attorney shall, within five days thereafter, apply to the court of common pleas for an injunction, mandamus or other process to prevent, enjoin, abate or remove such unlawful use or erection.

Anyone aggrieved by the provisions of this act may appeal to the court of common pleas as is now provided by law for appeals from decisions of other administrative agencies.

SECTION 14. Not to apply to certan municipalities.—The provisions of this act shall not apply to any municipality in the county which has a planning commission, unless the governing body of such municipality shall elect to come under the provisions of this act.

SECTION 15. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of February, 1965.

(R69, H1175) **No. 53**

An Act To Amend Section 14-3201, Code Of Laws Of South Carolina, 1962, As Amended, Relating To The Board Of Road Commissioners For Richland County, So As To Provide That Vacancies Shall Be Filled By Appointment For The Unexpired Portion Of The Terms.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 14-3201 amended—Board of Commissioners created for Richland County—elections—terms—vacancies.— Section 14-3201, Code of Laws of South Carolina, 1962, as amended, is further amended by striking on lines nine and ten "elected for the unexpired portion of the term." and inserting "appointed for the unexpired portion of the term by the Governor, upon the recommendation of a majority of the county legislative delegation, including the Senator.", so that, when so amended, the section shall read:

"Section 14-3201. A Board of Road Commissioners is hereby created for Richland County which shall be composed of one member from each of the townships in the county. One member of the board shall be elected from each township of the county by the qualified electors of the township wherein the member resides. The road commissioners shall hold office co-terminously with the county supervisor and they shall hold office until their successors are elected and shall qualify. In case of a vacancy before the expiration of the term for which elected, the successor in office shall be appointed for the unexpired portion of the term by the Governor, upon the recommendation of a majority of the county legislative delegation, including the Senator."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of February, 1965.

(R72, H1184) **No. 54**

An Act To Amend Sections 21-1807 And 21-1812, Code Of Laws Of South Carolina, 1962, Relating To Schools In Chester County, So As To Eliminate Exceptions Relating To Employ-

ment Of Personnel And To Provide For The Appointment Of Local Area Advisory Trustees For High School Areas; And To Repeal Section 21-1813, Code Of Laws Of South Carolina, 1962, Relating To Local School Superintendents And Teachers In Chester County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Item (1) of Section 21-1807 amended—powers and duties.—Item (1) of Section 21-1807, Code of Laws of South Carolina, 1962, is amended by changing the second comma on line two of the item to a semicolon and striking the remainder of the item. The item when amended shall read as follows:

"(1) To employ, upon the nomination of the superintendent of education, all personnel necessary for the efficient operation of the schools;".

SECTION 2. Section 21-1812 amended—local area advisory trustees.—Section 21-1812, Code of Laws of South Carolina, 1962, is amended by striking the first sentence and inserting: "The board of trustees shall appoint local area advisory trustees for the high school areas in the county." The section when amended shall read as follows:

"Section 21-1812. The board of trustees shall appoint local area advisory trustees for the high school areas in the county. These trustees shall serve for a term of four years. Each local area trustee shall be a resident of the area which he represents."

SECTION 3. Section 21-1813 repealed.—Section 21-1813, Code of Laws of South Carolina, 1962, is repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of February, 1965.

(R75, H1191) **No. 55**

An Act To Create The York County Economic Opportunity Commission And To Prescribe Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. York County Economic Opportunity Commission created.—There is hereby created the York County Economic Opportunity Commission.

SECTION 2. To be corporate body.—The commission is hereby declared to be a body politic and corporate and shall exercise and enjoy all the rights and privileges of such.

SECTION 3. Members and compensation.—The commission shall be composed of not less than fifteen members. One shall be a member of the county legislative delegation, ex officio. The other members shall be residents of the county and shall be appointed by the Governor upon recommendation of a majority of the county legislative delegation, including the senator. In designating the member from the delegation, a majority of the delegation, including the senator, shall govern. Members shall be selected on a basis fairly representative of the residents of the county and of the federal, state, county and municipal governmental and private nonprofit agencies, firms and corporations in the county engaged in improvemet of the health, education, welfare, housing and employment of the residents of the county. The members of the commission shall serve without compensation.

SECTION 4. Terms and vacancies.—The term of office of the appointive members of the commission shall be two years or until their successors are appointed and qualify. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor.

SECTION 5. Officers.—Immediately upon the appointment of the commission, it shall organize by electing one of its members as chairman, a second as vice chairman, a third as secretary and a fourth as treasurer. The officers of the commission shall hold office for terms of one year and until their successors shall be chosen and qualify. The commission shall file a record of its members and their respective terms in the office of the Clerk of Court for York County.

SECTION 6. Powers and duties.—The commission shall be responsible for the improvement of communication and cooperation among existing and future programs and the administration of one or more new programs designed to improve the health, education,

welfare, housing or employment of the residents of York County. To this end the commission shall be empowered as follows:

(a) to sue and be sued;

(b) to adopt, use and alter a corporate seal;

(c) to make bylaws for the management and regulation of its affairs;

(d) to appoint agents, employees and servants, to prescribe their duties, to fix their compensation, to determine if and to what extent they shall be bonded for the faithful performance of their duties;

(e) to undertake the improvement of communication and cooperation among existing and future programs administered by federal, state, county and municipal governmental agencies and private nonprofit organizations designed to improve the health, education, welfare, housing or employment of the county residents and, with the consent of such agencies and organizations, to coordinate same;

(f) to enter into contracts and agreements for performance of its programs and duties with federal, state, county and municipal governmental agencies and subdivisions thereof, and private nonprofit organizations;

(g) to accept and receive funds for the performance of its duties in the administration of its programs from such governmental agencies and subdivisions thereof and private nonprofit organizations, as well as any other sources;

(h) to designate an executive committee from among the members of the commission to which may be delegated one or more duties and responsibilities of the commission and, from time to time, to appoint one or more subcommittees composed of residents of York County to advise and assist in the administration of its program and the performance of its duties;

(i) to maintain adequate accounts and records of its activities, receipts and expenses in conformance with requirements of any contract or agreement with any federal, state, county or municipal governmental agency, or subdivision thereof, or any private nonprofit organization; and

(j) to acquire, own or hold in trust, preserve, restore, maintain or lease property, facilities and equipment reasonably necessary for the performance of its duties and the administration of its programs.

SECTION 7. Approval of contracts—executive director.—All contracts, contracts of employment and leases shall be subject to

the approval of a majority of the York County Legislative Delegation, including the Senator. The York County Legislative Delegation shall employ an executive director whose employment shall be approved by a majority of the delegation, including the senator.

SECTION 8. Exempt from taxes.—All property of the commission shall be exempt from all ad valorem taxes levied by York County or any municipality therein, or any division, subdivision or agency thereof, directly or indirectly.

SECTION 9. Fiscal year and audit.—The commission shall conduct its affairs on the fiscal year basis employed by York County. As shortly after the close of its fiscal year as may be practicable an audit of its affairs shall be made by a certified public accountant in good standing, to be designated by the commission. Copies of such audit, incorporated into an annual report of the commission, shall be filed with the senator, the secretary of the house delegation and the office of the Clerk of Court for York County.

SECTION 10. Contracts not to be impaired.—The right to alter, amend or rescind this act is hereby expressly reserved and disclosed, but no such amendment or repeal shall operate to impair the operation of any contract otherwise made by the authority pursuant to any power conferred by this act.

SECTION 11. When action may be taken.—Any action required of the commission may be taken at any regular or special meeting, and at such meeting a majority of the members shall constitute a quorum.

SECTION 12. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of February, 1965.

(R76, H1192) **No. 56**

An Act To Create The Newberry County Economic Opportunity Commission And To Prescribe Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Newberry County Economic Opportunity Commission created.—There is hereby created the Newberry County Economic Opportunity Commission.

SECTION 2. To be corporate body.—The commission is hereby declared to be a body politic and corporate and shall exercise and enjoy all the rights and privileges of such.

SECTION 3. Members and compensation.—The commission shall be composed of eleven members who shall be appointed by the Governor upon the recommendation of the legislative delegation. The members of the commission shall serve without compensation.

SECTION 4. Terms and vacancies.—The terms of office of the members of the commission shall be for two years or until their successors are appointed and qualify. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor. Of the initial appointees, five shall serve for one year.

SECTION 5. Officers.—Immediately upon the appointment of the commission, it shall organize by electing one of its members as chairman, a second as vice-chairman and a third as secretary and treasurer. The commission shall file a record of its members in the office of the Clerk of Court for Newberry County.

SECTION 6. Powers and duties.—The commission shall be responsible for the improvement of communication and cooperation among existing and future programs and the administration of one or more new programs designed to improve the health, education, welfare, housing or employment of the residents of Newberry County. To this end the commission shall be empowered as follows:

(a) to sue and be sued;

(b) to adopt, use and alter a corporate seal;

(c) to make bylaws for the management and regulation of its affairs;

(d) to appoint agents, employees and servants, to prescribe their duties, to fix their compensation, to determine if and to what extent they shall be bonded for the faithful performance of their duties;

(e) to undertake the improvement of communication and cooperation among existing and future programs administered by federal, state, county and municipal governmental agencies and private non-

profit organizations designed to improve the health, education, welfare, housing or employment of the county residents and, with the consent of such agencies and organizations, to coordinate same;

(f) to enter into contracts and agreements for performance of its programs and duties with federal, state, county and municipal governmental agencies and subdivisions thereof, and private nonprofit organizations;

(g) to accept and receive funds for the performance of its duties in the administration of its programs from such governmental agencies and subdivisions thereof and private nonprofit organizations, as well as any other sources;

(h) to designate an executive committee from among the members of the commission to which may be delegated one or more duties and responsibilities of the commission and, from time to time, to appoint one or more subcommittees composed of residents of Newberry County to advise and assist in the administration of its program and the performance of its duties;

(i) to maintain adequate accounts and records of its activities, receipts and expenses in conformance with requirements of any contract or agreement with any federal, state, county or municipal governmental agency, or subdivision thereof, or any private nonprofit organization; and

(j) to acquire, own or hold in trust, preserve, restore, maintain or lease property, facilities and equipment reasonably necessary for the performance of its duties and the administration of its programs.

SECTION 7. Exempt from taxes.—All property of the commission shall be exempt from all ad valorem taxes levied by Newberry County or any municipality therein, or any division, subdivision or agency thereof, directly or indirectly.

SECTION 8. Fiscal year and audit.—The commission shall conduct its affairs on the fiscal year basis employed by Newberry County. As shortly after the close of its fiscal year as may be practicable an audit of its affairs shall be made by a certified public accountant in good standing, to be designated by the commission. Copies of such audit, incorporated into an annual report of the commission, shall be filed with the Newberry County Legislative Delegation.

SECTION 9. Contracts not to be impaired.—The right to alter, amend or rescind this act is hereby expressly reserved and disclosed,

but no such amendment or repeal shall operate to impair the operation of any contract otherwise made by the authority pursuant to any power conferred by this act.

SECTION 10. When action may be taken.—Any action required of the commission may be taken at any regular or special meeting, and at such meeting a majority of the members shall constitute a quorum.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of February, 1965.

(R80, S13) **No. 57**

An Act To Amend Section 28-621 Of The Code Of Laws Of South Carolina Of 1962, As Amended, Relating To The Season For Netting Nongame Fish In Prestwood Lake And Lake Robinson In Darlington County, So As To Provide For An Open Season For Netting Nongame Fish In Lake Robinson In Chesterfield County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 28-621 amended—season for netting nongame fish in Lakes Prestwood and Robinson.—Section 28-621 of the Code of 1962, as amended, is further amended to read as follows:

"Section 28-621. There shall be an open season from November fifteenth to March fifteenth of each year for the netting of nongame fish in Prestwood Lake in Darlington County and from November fifteenth to February fifteenth in Lake Robinson in Chesterfield and Darlington Counties."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of February, 1965.

(R82, S15) **No. 58**

An Act To Amend Section 1-400.3 Of The 1962 Code, Relating To The Southern Interstate Nuclear Compact, So As To Add The State Of Missouri To The Compact.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article VIII of Section 1-400.3 amended—eligible parties—withdrawals.—Article VIII of Section 1-400.3 of the 1962 Code is amended by inserting "Missouri," between "Mississippi," and "North Carolina" in subparagraph (1) so that when so amended Article VIII shall read as follows:

"Article VIII. Eligible Parties, Entry into Force and Withdrawal

(1) Any or all of the states of Alabama, Arkansas, Delaware, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia shall be eligible to become party to this compact.

(2) As to any eligible party state, this compact shall become effective when its legislature shall have enacted it into law; *provided,* that it shall not become initially effective until enacted into law by seven states.

(3) Any party state may withdraw from this compact by enacting a statute repealing it, but no such withdrawal shall become effective until the governor of the withdrawing state shall have sent formal notice in writing to the governor of each other party state informing such governors of the action of the legislature in repealing the compact and declaring an intention to withdraw."

SECTION 2. Time effective.—This act shall take effect upon approval by Governor.

Approved the 26th day of February, 1965.

(R83, S80) **No. 59**

An Act To Amend Section 65-1523, Code Of Laws Of South Carolina, 1962, As Amended, Relating To Specific Property Exemptions From Taxation, So As To Exempt Nonprofit Community Centers And Recreation Parks In Williamsburg County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 65-1523 amended—certain property in Williamsburg County exempt from taxes.—Section 65-1523, Code of Laws of South Carolina, 1962, as amended, is further amended by adding the following item:

"( ) All property of nonprofit community centers and recreation parks located in Williamsburg County shall be exempt from all local, county, school, municipal and special taxes."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of February, 1965.

(R84, S79) **No. 60**

An Act To Amend Act No. 192 Of The Acts Of 1963, As Amended, Relating To Magistrates In Anderson County, So As To Provide For Countywide Jurisdiction And The Mode Of Trial.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Act 192 of 1963 amended—Section 1A added—jurisdiction and transfer of cases.—Act No. 192 of the Acts of 1963, as amended, is further amended by adding the following after Section 1:

"Section 1A. The foregoing magistrates shall have countywide jurisdiction. The defendant in a civil action shall upon written request to the magistrate have his case transferred to the magistrate in the district where he resides. The defendant charged with a commission of a criminal offense shall have his case transferred to the magistrate in the district where the offense was committed by written request to the magistrate. *Provided,* however, that the above provisions shall not prejudice the right of any party to have the place for trial removed as provided in Sections 43-131 and 43-233, Code of Laws of South Carolina, 1962."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of February, 1965.

(R86, S99) **No. 61**

An Act To Create The Colleton County Economic Opportunity Commission And To Prescribe Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Colleton County Economic Opportunity Commission—created.—There is hereby created the Colleton County Economic Opportunity Commission.

SECTION 2. To be corporate body.—The commission is hereby declared to be a body politic and corporate and shall exercise and enjoy all the rights and privileges of such.

SECTION 3. Members and compensation.—The commission shall be composed of seven members. The members shall be residents of the county and shall be appointed by the Governor upon recommendation of a majority of the county legislative delegation, including the senator. One of the seven members shall be the county superintendent of education, ex officio. Members shall be selected on a basis fairly representative of all the residents of the county. The members of the commission shall serve without compensation.

SECTION 4. Terms and vacancies.—The terms of office of the members of the commission shall be one year or until their successors are appointed and qualify. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor.

SECTION 5. Officers.—Immediately upon the appointment of the commission, it shall organize by electing one of its members as chairman, a second as vice chairman, a third as secretary and a fourth as treasurer. The officers of the commission shall hold office for terms of one year and until their successors shall be chosen and qualify. The commission shall file a record of its members and their respective terms in the office of the Clerk of Court for Colleton County.

SECTION 6. Powers and duties.—The commission shall be responsible for the improvement of communication and cooperation among existing and future programs and the administration of one or more new programs designed to improve the health, education, welfare, housing or employment of the residents of Colleton County. To this end the commission shall be empowered as follows:

(a) to sue and be sued;

(b) to adopt, use and alter a corporate seal;

(c) to make bylaws for the management and regulation of its affairs;

(d) to appoint agents, employees and servants, to prescribe their duties, to fix their compensation, to determine if and to what extent they shall be bonded for the faithful performance of their duties;

(e) to undertake the improvement of communication and cooperation among existing and future programs administered by federal, state, county and municipal governmental agencies and private nonprofit organizations designed to improve the health, education, welfare, housing or employment of the county residents and, with the consent of such agencies and organizations, to coordinate the same;

(f) to enter into contracts and agreements for performance of its programs and duties with federal, state, county and municipal governmental agencies and subdivisions thereof, and private nonprofit organizations;

(g) to accept and receive funds for the performance of its duties in the administration of its programs from such governmental agencies and subdivisions thereof and private nonprofit organizations, as well as any other sources;

(h) to designate an executive committee from among the members of the commission to which may be delegated one or more duties and responsibilities of the commission and, from time to time, to appoint one or more sub-committees composed of residents of Colleton County to advise and assist in the administration of its program and the performance of its duties;

(i) to maintain adequate accounts and records of its activities, receipts and expenses in conformance with requirements of any contract or agreement with any federal, state, county or municipal governmental agency, or subdivision thereof, or any private nonprofit organization; and

(j) to acquire, own or hold in trust, preserve, restore, maintain or lease property, facilities and equipment reasonably necessary for the performance of its duties and the administration of its programs.

SECTION 7. Exempt from taxes.—All property of the commission shall be exempt from all ad valorem taxes levied for Colleton County or any municipality therein, or any division, subdivision or agency thereof, directly or indirectly.

SECTION 8. Fiscal year and audit.—The commission shall conduct its affairs on the same year basis as employed by Colleton County. As shortly after the close of each year as may be practicable an audit of its affairs shall be made by a certified public accountant in good standing, to be designated by the commission. Copies of such audit, incorporated into an annual report of the commission, shall be filed with the senator, the house delegation and the office of the Clerk of Court for Colleton County.

SECTION 9. Contracts not to be impaired.—The right to alter, amend or rescind this act is hereby expressly reserved and disclosed, but no such amendment or repeal shall operate to impair the operation of any contract otherwise made by the authority pursuant to any power conferred by this act.

SECTION 10. When action may be taken.—Any action required of the commission may be taken at any regular or special meeting, and at such meeting a majority of the members shall constitute a quorum.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of February, 1965.

(R89, H1035) **No. 62**

An Act To Amend Section 10-431 Of The 1962 Code, As Amended, Relating To Service On Nonresident Unregulated Motor Vehicle Drivers And Others, So As To Make The Provisions Of The Section Applicable To Certain Nonresident Unregulated Motor Carriers And To Change The Reference To Act No. 654 Of 1956.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 10-431 amended—service of process upon certain nonresident drivers or carriers.—Section 10-431 of the 1962 Code, as amended, is further amended by striking the word "or" on line 4 and by striking "Act No. 654 of the Acts of 1956" on line 5 and inserting in lieu thereof the following: "Title 65, Chapter 15 (Section 65-1231 et seq.); or (d) nonresident unregulated motor carriers

engaged in transporting persons, hauling farm or dairy products, hauling any other perishable products or haulers of lumber or logs," so that when amended the section shall read as follows:

"Section 10-431. Service of process upon the Chief Highway Commissioner, as agent of (a) a nonresident driver under the provisions of Section 46-104; (b) a resident driver who subsequently becomes a nonresident; (c) a nonresident motor carrier under the provisions of Title 65, Chapter 15 (Section 65-1231 et seq.); or (d) nonresident unregulated motor carriers engaged in transporting persons, hauling farm or dairy products, hauling any other perishable products or haulers of lumber or logs, shall be made by leaving a copy thereof, with a fee of four dollars, in the hands of the Commissioner or his office and such service shall be sufficient service upon the nonresident if notice of the service and a copy of the process are forthwith sent by certified mail by the plaintiff or the Commissioner to the defendant and the defendant's return receipt and the plaintiff's affidavit of compliance herewith are appended to the summons or other process and filed with the summons, complaint and other papers in the cause. The Commissioner shall keep a record of all processes which shall show the day and hour of service upon him. When the certified return receipt shall be returned to the Commissioner, he shall deliver it to the plaintiff on request and keep a record showing the date of its receipt by him and its delivery to the plaintiff."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of February, 1965.

(R90, H1158) **No. 63**

An Act To Create The Beaufort County Economic Opportunity Commission And To Prescribe Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Beaufort County Economic Opportunity Commission created.—There is hereby created the Beaufort County Economic Opportunity Commission.

SECTION 2. To be corporate body.—The commission is hereby declared to be a body politic and corporate and shall exercise and enjoy all the rights and privileges of such.

SECTION 3. Members and compensation.—The commission shall be composed of fifteen members as follows: one shall be a member of the Beaufort County Development Commission, one shall be a member of the Beaufort Town Council, one shall be a member of the Port Royal Town Council, one shall be a member of the Bluffton Town Council, one shall be a member of the Beaufort County Board of Directors, (all of whom shall serve ex officio), and there shall be a member from each of the five townships and five from the county at large. All members shall be residents of the county and shall be appointed by the Governor upon the recommendation of a majority of the county legislative delegation, including the Senator. The members of the commission shall serve without compensation.

SECTION 4. Terms and vacancies.—The terms of office of the members of the commission shall be for two years or until their successors are appointed and qualify. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor. Of the initial appointees, seven shall serve for one year. No member who has served for a period of four consecutive years shall be eligible for reappointment for a period of one year following the termination of his previous term.

SECTION 5. Officers.—Immediately upon the appointment of the commission, it shall organize by electing one of its members as chairman, a second as vice chairman and a third as secretary and treasurer. The commission shall file a record of its members in the office of the county legislative delegation.

SECTION 6. Powers and duties.—The commission shall be responsible for the improvement of communication and cooperation among existing and future programs and the administration of one or more new programs designed to improve the health, education, welfare, housing or employment of the residents of Beaufort County. To this end the commission shall be empowered as follows:

(a) to sue and be sued;

(b) to adopt, use and alter a corporate seal;

(c) to make bylaws for the management and regulation of its affairs;

(d) to appoint agents, employees and servants, to prescribe their duties, to fix their compensation, to determine if and to what extent they shall be bonded for the faithful performance of their duties;

(e) to undertake the improvement of communication and cooperation among existing and future programs administered by federal, state, county and municipal governmental agencies and private nonprofit organizations designed to improve the health, education, welfare, housing or employment of the county residents and, with the consent of such agencies and organizations, to coordinate same;

(f) to enter into contracts and agreements for performance of its programs and duties with federal, state, county and municipal governmental agencies and subdivisions thereof, and private nonprofit organizations;

(g) to accept and receive funds for the performance of its duties in the administration of its programs from such governmental agencies and subdivisions thereof and private nonprofit organizations, as well as any other sources;

(h) to designate an executive committee from among the members of the commission to which may be delegated one or more duties and responsibilities of the commission and, from time to time, to appoint one or more sub-committees composed of residents of Beaufort County to advise and assist in the administration of its program and the performance of its duties;

(i) to maintain adequate accounts and records of its activities, receipts and expenses in conformance with requirements of any contract or agreement with any federal, state, county or municipal governmental agency, or subdivision thereof, or any private nonprofit organization; and

(j) to acquire, own or hold in trust, preserve, restore, maintain or lease property, facilities and equipment reasonably necessary for the performance of its duties and the administration of its programs.

SECTION 7. Exempt from taxes.—All property of the commission shall be exempt from all ad valorem taxes levied by Beaufort County or any municipality therein, or any division, subdivision or agency thereof, directly or indirectly.

SECTION 8. Fiscal year and audit.—The commission shall conduct its affairs on the fiscal year basis employed by Beaufort County. As shortly after the close of its fiscal year as may be practicable an audit of its affairs shall be made by the certified public accountant who

conducts the annual audit of the fiscal affairs of Beaufort County. Copies of such audit, incorporated into an annual report of the commission, shall be filed with the Beaufort County Legislative Delegation.

SECTION 9. Contracts not to be impaired.—The right to alter, amend or rescind this act is hereby expressly reserved and disclosed, but no such amendment or repeal shall operate to impair the operation of any contract otherwise made by the authority pursuant to any power conferred by this act.

SECTION 10. When action may be taken.—Any action required of the commission may be taken at any regular or special meeting, and at such meeting a majority of the members shall constitute a quorum.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of February, 1965.

(R91, H1163) **No. 64**

An Act To Provide For The Issuance Of Construction Reports In Orangeburg County; To Prohibit Electrical Companies From Making Electrical Connections To A Building Constructed Without A Report; And To Provide A Penalty For Violations.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Construction reports required in Orangeburg County.—It shall be unlawful for any person to erect or construct any new building or make alterations to existing buildings which cost one thousand dollars or more in Orangeburg County unless a report has been filed with the county auditor or the magistrate of the district in which construction is to be made. *Provided,* that no report shall be required within any incorporated municipality which requires a permit for the construction or erection of a new building or alterations to existing buildings.

SECTION 2. Forms—information required.—The auditor shall prepare and furnish the magistrate in each district the report forms

which shall show information to be of assistance to him in locating the real estate on which the construction or alteration is to be made. The information shall include but shall not be limited to the following: (a) name of owner of the real estate, (b) school district, (c) subdivision lot number and block, if any, (d) street and number or road and rural post office route and postal box number, (e) type of construction, (f) size or number of rooms, (g) estimated cost of construction, (h) estimated dates of beginning and completion of construction, and (i) approximate distance from the nearest municipality. Each report shall be acknowledged in writing on the face thereof by the issuing officer.

SECTION 3. Filing of.—Building reports shall be without charge. The reports shall be numbered and shall be made in triplicate. The original shall be filed with the county auditor within ten days after being filed with any magistrate. The third copy of such report shall be kept at the building or place where such construction, erection, improvement or alteration is being done and, on demand, shall be produced by the person in charge of such work for inspection by any police officer or properly designated agent of the auditor or tax equalization board for the district. It shall be unlawful to continue the work after demand unless and until the report is produced for inspection.

SECTION 4. Not applicable to certain municipalities.—The provisions of this act shall not be applicable within any municipality within the county where a permit as may now be required by the municipality is presently furnished the auditor.

SECTION 5. Penalties.—Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be subject to a fine not exceeding one hundred dollars or be imprisoned not more than thirty days. Each day that a violation is continued shall constitute a separate offense.

SECTION 6. Electricity not to be furnished without report.—It shall be unlawful for any public utility company or rural electric cooperative to make a new connection of electrical energy to a new construction or facility requiring a report under this act unless and until such report has been filed and posted for the construction of the building or facility. Any company or cooperative making a connection shall report to the county auditor's office on or before the tenth of each month the location of each connection.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of February, 1965.

(R93, H1193) **No. 65**

An Act To Ratify Amendments To Section 22, Article V, Of The Constitution Of South Carolina, 1895, Relating To Juries In Civil And Criminal Courts, So As To Provide That The Civil Petit Jury Of The County Court Of Greenville County Shall Consist Of Twelve Men, And To Section 13, Article II, Of The Constitution Of South Carolina, 1895, Relating To Special Elections For Bonding Municipalities, So As To Provide That, Under Certain Conditions, The General Assembly Need Not Prescribe A Petition Before Holding Such Elections In The City Of Greenville.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Amendment to Article V, Section 22, State Constitution, ratified—number of jurors for County Court of Greenville.—The amendment to Section 22, Article V, of the Constitution of South Carolina, 1895, proposed under the terms of Joint Resolution No. 409 of 1963, having been submitted to the qualified electors in the manner prescribed by Section 1 of Article XVI of the Constitution of South Carolina, 1895, and a favorable vote having been received thereon, is ratified and declared to form a part of the Constitution, so that there will be added at the end of Section 22, **Article V, of the Constitution** of South Carolina, 1895, the following: *"Provided,* that the civil petit jury of the County Court of Greenville shall consist of twelve men."

SECTION 2. Amendment to Article II, Section 13, State Constitution, ratified—city of Greenville may hold election concerning bonded indebtedness without petition.—The amendment to Section 13, Article II, of the Constitution of South Carolina, 1895, proposed under the terms of Joint Resolution No. 1240 of 1964, having been submitted to the qualified electors in the manner prescribed by Section 1 of Article XVI of the Constitution of South Carolina, 1895, and a favorable vote having been received thereon, is ratified and declared to

form a part of the Constitution, so that there will be added at the end of Section 13, Article II, of the Constitution of South Carolina, 1895, the following: *"Provided,* that the General Assembly need not prescribe any such petition of freeholders as a condition precedent to the holding of any such election in the City of Greenville where the proceeds of the bonds to be authorized are used for any corporate purpose of the City of Greenville. It is intended that the term 'City of Greenville' as used in this amendment shall mean the City of Greenville with corporate limits as now constituted or as hereafter altered following merger, annexation, or modification of corporate limits."

Ratified the 23rd day of February, 1965.

(R94, H1234) **No. 66**

An Act To Amend Section 27-91, Code Of Laws Of South Carolina, 1962, Relating To The Fee Schedule Of The Clerk Of Court For Oconee County, So As To Make Further Provisions Therefor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 27-91 amended—clerk of court fees for Oconee County.—Section 27-91, Code of Laws of South Carolina, 1962, is amended to read as follows:

"Section 27-91. In Oconee County the clerk of court shall charge for (a) recording a deed, real estate mortgage, chattel mortgage, release, assignment, or probated satisfaction of real and chattel mortgages, one dollar for first page of original instrument, and fifty cents for each additional page, or fractional part thereof. *Provided,* however, that when chattel mortgages, whether over or under one hundred dollars, are accompanied by exact copies to be pasted in a book kept in the office of the clerk of court, the fee shall be seventy-five cents; (b) recording plats, size ten inches by fifteen inches or less, one dollar, if copy of plat furnished to be pasted in book, seventy-five cents; larger size plats to be pasted in book, two dollars; (c) satisfaction of real estate and chattel mortgages, twenty-five cents; (d) for filing affidavit of true consideration of deed, fifty cents; (e) enrolling and recording default money judgment, five dollars; (f) enrolling

and recording divorces and adoptions, including two certified copies, seven dollars and fifty cents; (g) enrolling and recording all other equity and law cases, all services included, ten dollars; and (h) enrolling transcript of judgments, one dollar and fifty cents."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of February, 1965.

(R95, H1232)

No. 67

An Act To Provide For A Referendum To Determine The Wishes Of The Qualified Electors As To The Creation Of The South Greenville Area Fire District In Greenville County And To Provide For Its Creation In The Event Of A Favorable Vote; To Provide For A Board Of Fire Control For The District; To Prescribe The Powers, Duties And Membership Of The Board; To Provide For Tax Levies; And To Provide Penalties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Referendum concerning creation of South Greenville Area Fire District.—The Greenville County Commissioners of Election shall conduct a referendum on the twenty-third day of March, 1965, to ascertain the wishes of the qualified electors residing within the proposed South Greenville Area Fire District on the question of whether or not they favor the establishment of a rural fire district and favor the necessary tax levy. The commissioners of election shall publish a notice of the referendum once a week for two consecutive weeks in a newspaper having general circulation in the area.

SECTION 2. Ballots and question.—The commissioners of election shall have printed a sufficient number of ballots and have them distributed at the voting places. The ballots shall read as follows:

"Do you favor establishing and operating a rural fire department in the South Greenville Area and the necessary tax levy?

In favor of ☐
Opposed to ☐

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the words 'In favor of,' and

those voting against the question shall deposit a ballot with a check or cross mark in the square after the words 'Opposed to' ".

Only those persons otherwise qualified and owning taxable property within the area shall be entitled to vote. The officials responsible for canvassing the results of the election shall, within ten days, certify such results to the clerk of court of the county and to the Secretary of State.

SECTION 3. District to be established if referendum favorable.—If a majority of those voting in the election vote in favor of the creation of the fire district, there is hereby established the South Greenville Area Fire District in Greenville County encompassed within the lines as shown on a plat recorded in the R. M. C. office of Greenville County in plat book JJJ at page 7.

SECTION 4. Board established—members and terms.—There is established a board of fire control for the South Greenville Area Fire District to be composed of five members who shall be appointed by the Governor upon the recommendation of a majority of the Greenville County Legislative Delegation, including the Senator. Of those first appointed, one member shall serve for a term of one year, two members shall serve for terms of four years and two members shall serve for terms of six years or until their successors are appointed and qualify. The members of the board shall serve without pay and shall file annually a report with the Greenville County Delegation, not later than the first of November of each year, showing all activities and disbursements made by the board during the year. If at least twenty per cent of the qualified electors residing in the district petition the commissioners of election by the first of September of any general election year, the commissioners shall call an election to be held at the following general election for the purpose of electing a member to the board to succeed the member whose term will expire during such year, for a six-year term. Thereafter, members shall be elected in each succeeding general election for terms of six years.

SECTION 5. Powers and duties.—The board shall have the following duties:

(a) To buy such fire-fighting equipment as the board deems necessary for controlling fires within the money allocated or made available to the board for such purposes.

(b) To select the sites or places within the area where fire-fighting equipment shall be kept.

(c) To provide and select drivers and other volunteer firemen who shall serve without compensation to man the equipment.

(d) To procure and supervise the training of the volunteer firemen selected so that the equipment is utilized in the best interest of the area.

(e) To be responsible for the upkeep, maintenance and repairs of the trucks and other fire-fighting equipment and, as often as is deemed necessary, inspect such equipment.

(f) To promulgate such rules and regulations as it may deem proper and necessary to insure that the equipment is being used to the best advantage of the area.

(g) To construct, if necessary, buildings to house the equipment.

(h) To borrow not exceeding twenty-five thousand dollars on such terms and for such a period as to the fire control board may deem most beneficial for the fire district in anticipation of taxes. The indebtedness shall be evidenced by a note issued by the members of the board and the county treasurer. The full faith, credit and taxing power of the South Greenville Area Fire District is hereby irrevocably pledged for the payment of the indebtedness.

SECTION 6. Tax levy.—The Auditor and Treasurer of Greenville County are hereby directed to levy and collect a tax of not more than four mills upon all the taxable property of the district for the purpose of defraying the expenses incurred by the board. All monies collected from this levy shall be credited to the fire district.

SECTION 7. Supervision of equipment.—The fire chief or equivalent official of the truck company to which the equipment is assigned shall have complete supervision over its use and operation and it shall be his responsibility to insure that the equipment is readily available for use at all times.

SECTION 8. Members to enforce fire laws.—All members of the truck company of the district may direct and control traffic at the scene of any fire in the area of the county and enforce the laws of this State relating to the following of fire apparatus, the crossing of fire hose and interfering with firemen in the discharge of their duties in connection with a fire in a like manner as provided for the enforcement of such laws by peace officers.

SECTION 9. Unlawful acts—penalties.—It is unlawful to interfere with a member of a fire department in the discharge of his duties in the district or to interfere with any fire apparatus used by the fire department in the district, and any person violating the provisions of this act shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine not exceeding one hundred dollars or by imprisonment for not more than thirty days.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of February, 1965.

(R98, H1252) **No. 68**

An Act To Provide For The Terms Of Office Of The Councilmen And Mayor Of The Town Of Richburg In Chester County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Terms of mayor and councilmen for Town of Richburg.—Upon the expiration in 1965 of the terms of office for which the councilmen and mayor of the Town of Richburg in Chester County were elected, their successors shall be elected for terms of two years.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of February, 1965.

(R99, H1149) **No. 69**

An Act To Change The Names Of Certain State Industrial Schools.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Name of State Industrial School for Girls changed.—The name of the State Industrial School for Girls is hereby changed to the South Carolina School for Girls.

SECTION 2. Name of John G. Richards Industrial School changed.—The name of the John G. Richards Industrial Training School for Negro Boys is hereby changed to the John G. Richards School for Boys.

SECTION 3. Name of S. C. Industrial School for Negro Girls changed.—The name of the South Carolina Industrial School for Negro Girls is hereby changed to the Riverside School for Girls.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of February, 1965.

(R101, H1174) **No. 70**

An Act To Amend Section 14-2971, Code Of Laws Of South Carolina, 1962, Relating To The Requirement Of Bids For Certain Purchases In Newberry County, So As To Exempt Purchases For Certain Governmental Units Of The County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 14-2971 amended—bids required for certain county supplies.—Section 14-2971, Code of Laws of South Carolina, 1962, is amended by striking the period on line five and inserting in lieu thereof the following: ", development board, department of civil defense, nursing home, welfare department and Board of Rural Fire Control for Newberry County," so that when amended the section shall read as follows:

"Section 14-2971. The county board of commissioners shall advertise semiannually, in at least two issues in one of the newspapers published in the county, for bids for all implements, books, stationery and supplies of whatever kind which shall be needed for the county and for each and every office thereof, except those supplies needed by the county superintendent of education, development board, department of civil defense, nursing home, welfare department and Board of Rural Fire Control for Newberry County. Such bids shall be based on delivery at the county courthouse unless otherwise specified. Such advertisement shall set forth the articles and the amount thereof to be purchased, and the contract for any purchase shall be awarded to the lowest responsible bidder for the six months' period."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of February, 1965.

(R102, H1206) **No. 71**

An Act To Create The Bamberg County Economic Opportunity Commission And To Prescribe Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Bamberg County Economic Opportunity Commission—created.—There is hereby created the Bamberg County Economic Opportunity Commission.

SECTION 2. To be corporate body.—The commission is hereby declared to be a body politic and corporate and shall exercise and enjoy all the rights and privileges of such.

SECTION 3. Members and compensation.—The commission shall be composed of eleven members who shall be appointed by the Governor upon the recommendation of the legislative delegation. The members of the commission shall serve without compensation.

SECTION 4. Terms and vacancies.—The terms of office of the members of the commission shall be for two years or until their successors are appointed and qualify. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor. Of the initial appointees, five shall serve for one year.

SECTION 5. Officers.—Immediately upon the appointment of the commission, it shall organize by electing one of its members as chairman, a second as vice chairman and a third as secretary and treasurer. The commission shall file a record of its members in the office of the Clerk of Court for Bamberg County.

SECTION 6. Powers and duties.—The commission shall be responsible for the improvement of communication and cooperation among existing and future programs and the administration of one or more new programs designed to improve the health, education,

welfare, housing or employment of the residents of Bamberg County. To this end the commission shall be empowered as follows:

(a) to sue and be sued;

(b) to adopt, use and alter a corporate seal;

(c) to make bylaws for the management and regulation of its affairs;

(d) to appoint agents, employees and servants, to prescribe their duties, to fix their compensation, to determine if and to what extent they shall be bonded for the faithful performance of their duties;

(e) to undertake the improvement of communication and cooperation among existing and future programs administered by federal, state, county and municipal governmental agencies and private nonprofit organizations designed to improve the health, education, welfare, housing or employment of the county residents and, with the consent of such agencies and organizations, to coordinate same;

(f) to enter into contracts and agreements for performance of its programs and duties with federal, state, county and municipal governmental agencies and subdivisions thereof, and private nonprofit organizations;

(g) to accept and receive funds for the performance of its duties in the administration of its programs from such governmental agencies and subdivisions thereof and private nonprofit organizations, as well as any other sources;

(h) to designate an executive committee from among the members of the commission to which may be delegated one or more duties and responsibilities of the commission and, from time to time, to appoint one or more sub-committees composed of residents of Bamberg County to advise and assist in the administration of its program and the performance of its duties;

(i) to maintain adequate accounts and records of its activities, receipts and expenses in conformance with requirements of any contract or agreement with any federal, state, county or municipal governmental agency, or subdivision thereof, or any private nonprofit organization; and

(j) to acquire, own or hold in trust, preserve, restore, maintain or lease property, facilities and equipment reasonably necessary for the performance of its duties and the administration of its programs.

SECTION 7. Exempt from taxes.—All property of the commission shall be exempt from all ad valorem taxes levied by Bamberg

County or any municipality therein, or any division, subdivision or agency thereof, directly or indirectly.

SECTION 8. Fiscal year and audit.—The commission shall conduct its affairs on the fiscal year basis employed by Bamberg County. As shortly after the close of its fiscal year as may be practicable an audit of its affairs shall be made by a certified public accountant in good standing, to be designated by the commission. Copies of such audit, incorporated into an annual report of the commission, shall be filed with the Bamberg County Legislative Delegation.

SECTION 9. Contracts not to be impaired.—The right to alter, amend or rescind this act is hereby expressly reserved and disclosed, but no such amendment or repeal shall operate to impair the operation of any contract otherwise made by the authority pursuant to any power conferred by this act.

SECTION 10. When action may be taken.—Any action required of the commission may be taken at any regular or special meeting, and at such meeting a majority of the members shall constitute a quorum.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of February, 1965.

(R104, H1200)

No. 72

An Act To Create The Allendale County Economic Opportunity Commission And To Prescribe Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Allendale County Economic Opportunity Commission created.—There is hereby created the Allendale County Economic Opportunity Commission.

SECTION 2. To be corporate body.—The commission is hereby declared to be a body politic and corporate and shall exercise and enjoy all the rights and privileges of such.

SECTION 3. Members and compensation.—The commission shall be composed of eleven members who shall be appointed by the Gov-

ernor upon the recommendation of the legislative delegation. The members of the commission shall serve without compensation.

SECTION 4. Terms and vacancies.—The terms of office of the members of the commission shall be for two years or until their successors are appointed and qualify. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor. Of the initial appointees, five shall serve for one year.

SECTION 5. Officers.—Immediately upon the appointment of the commission, it shall organize by electing one of its members as chairman, a second as vice chairman and a third as secretary and treasurer. The commission shall file a record of its members in the office of the Clerk of Court for Allendale County.

SECTION 6. Powers and duties.—The commission shall be responsible for the improvement of communication and cooperation among existing and future programs and the administration of one or more new programs designed to improve the health, education, welfare, housing or employment of the residents of Allendale County. To this end the commission shall be empowered as follows:

(a) to sue and be sued;

(b) to adopt, use and alter a corporate seal;

(c) to make bylaws for the management and regulation of its affairs;

(d) to appoint agents, employees and servants, to prescribe their duties, to fix their compensation, to determine if and to what extent they shall be bonded for the faithful performance of their duties;

(e) to undertake the improvement of communication and cooperation among existing and future programs administered by federal, state, county and municipal governmental agencies and private nonprofit organizations designed to improve the health, education, welfare, housing or employment of the county residents and, with the consent of such agencies and organizations, to coordinate same;

(f) to enter into contracts and agreements for performance of its programs and duties with federal, state, county and municipal governmental agencies and subdivisions thereof, and private nonprofit organizations;

(g) to accept and receive funds for the performance of its duties in the administration of its programs from such governmental agencies

and subdivisions thereof and private nonprofit organizations, as well as any other sources;

(h) to designate an executive committee from among the members of the commission to which may be delegated one or more duties and responsibilities of the commission and, from time to time, to appoint one or more subcommittees composed of residents of Allendale County to advise and assist in the administration of its program and the performance of its duties;

(i) to maintain adequate accounts and records of its activities, receipts and expenses in conformance with requirements of any contract or agreement with any federal, state, county or municipal governmental agency, or subdivision thereof, or any private nonprofit organization; and

(j) to acquire, own or hold in trust, preserve, restore, maintain or lease property, facilities and equipment reasonably necessary for the performance of its duties and the administration of its programs.

SECTION 7. Exempt from taxes.—All property of the commission shall be exempt from all ad valorem taxes levied by Allendale County or any municipality therein, or any division, subdivision or agency thereof, directly or indirectly.

SECTION 8. Fiscal year and audit.—The commission shall conduct its affairs on the fiscal year basis employed by Allendale County. As shortly after the close of its fiscal year as may be practicable an audit of its affairs shall be made by a certified public accountant in good standing, to be designated by the commission. Copies of such audit, incorporated into an annual report of the commission, shall be filed with the Allendale County Legislative Delegation.

SECTION 9. Contracts not to be impaired.—The right to alter, amend or rescind this act is hereby expressly reserved and disclosed, but no such amendment or repeal shall operate to impair the operation of any contract otherwise made by the authority pursuant to any power conferred by this act.

SECTION 10. When action may be taken.—Any action required of the commission may be taken at any regular or special meeting, and at such meeting a majority of the members shall constitute a quorum.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of February, 1965.

(R106, H1220)

No. 73

An Act To Ratify An Amendment To Section 5 Of Article X Of The Constitution Of South Carolina, 1895, Relating To The Limit Of Bonded Indebtedness Of Certain Political Subdivisions, So As To Permit School District No. 5 Of Anderson County To Incur Bonded Indebtedness Up To Sixteen Per Cent Of The Assessed Value Of The Taxable Property Therein, And To Exclude Such Indebtedness From The Limitation Of Aggregate Indebtedness Upon Any Territory In The County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Amendment to Article X, Section 5, State Constitution, ratified—bonded indebtedness of Anderson County School District 5.—The amendment to Section 5 of Article X of the Constitution of South Carolina, 1895, proposed under the terms of Joint Resolution No. 1144 of the Acts of 1964, having been submitted to the qualified electors at the general election of 1964 in the manner prescribed by Section 1, Article XVI, of the Constitution of South Carolina, 1895, and a favorable vote having been received thereon, the amendment is ratified and declared to form a part of the Constitution, so that there will be added at the end of Section 5, Article X, of the Constitution of South Carolina, 1895, the following:

"*Provided,* that the limitations as to bonded indebtedness imposed by this section shall not apply to the bonded indebtedness of School District No. 5 of Anderson County and the school district may incur bonded debt to the extent of not exceeding sixteen per cent of the assessed value of all taxable property therein. Bonded debt incurred by School District No. 5 of Anderson County within the sixteen per cent limitation herein created shall not affect or limit the power of other political subdivisions or municipal corporations, covering or extending over any portion of the territory of the school district, to incur bonded indebtedness."

Ratified the 23rd day of February, 1965.

(R107, H1221)

No. 74

An Act To Ratify An Amendment To Section 5 Of Article X Of The Constitution Of South Carolina, 1895, Relating To The

Limit Of Bonded Indebtedness Of Certain Political Subdivisions, So As To Permit School District No. 2 Of Anderson County To Incur Bonded Indebtedness Up To Sixteen Per Cent Of The Assessed Value Of The Taxable Property Therein, And To Exclude Such Indebtedness From The Limitation Of Aggregate Indebtedness Upon Any Territory In The County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Amendment to Article X, Section 5, State Constitution, ratified—bonded indebtedness of Anderson County School District 2.—The amendment to Section 5 of Article X of the Constitution of South Carolina, 1895, proposed under the terms of Joint Resolution No. 1146 of the Acts of 1964, having been submitted to the qualified electors at the general election of 1964 in the manner prescribed by Section 1, Article XVI, of the Constitution of South Carolina, 1895, and a favorable vote having been received thereon, the amendment is ratified and declared to form a part of the Constitution, so that there will be added at the end of Section 5, Article X, of the Constitution of South Carolina, 1895, the following:

"Provided, that the limitations as to bonded indebtedness imposed by this section shall not apply to the bonded indebtedness of School District No. 2 of Anderson County and the school district may incur bonded debt to the extent of not exceeding sixteen per cent of the assessed value of all taxable property therein. Bonded debt incurred by School District No. 2 of Anderson County within the sixteen per cent limitation herein created shall not affect or limit the power of other political subdivisions or municipal corporations, covering or extending over any portion of the territory of the school district, to incur bonded indebtedness."

Ratified the 23rd day of February, 1965.

(R108, H1222) **No. 75**

An Act To Ratify An Amendment To Section 5 Of Article X Of The Constitution Of South Carolina, 1895, Relating To The Limit Of Bonded Indebtedness Of Certain Political Subdivisions, So As To Permit School District No. 1 Of Anderson County To Incur Bonded Indebtedness Up To Sixteen Per Cent Of The Assessed Value Of The Taxable Property Therein, And To Exclude

Such Indebtedness From The Limitation Of Aggregate Indebtedness Upon Any Territory In The County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Amendment to Article X, Section 5, State Constitution, ratified—bonded indebtedness of Anderson County School District 1.—The amendment to Section 5 of Article X of the Constitution of South Carolina, 1895, proposed under the terms of Joint Resolution No. 1145 of the Acts of 1964, having been submitted to the qualified electors at the general election of 1964 in the manner prescribed by Section 1, Article XVI, of the Constitution of South Carolina, 1895, and a favorable vote having been received thereon, the amendment is ratified and declared to form a part of the Constitution, so that there will be added at the end of Section 5, Article X, of the Constitution of South Carolina, 1895, the following:

"Provided, that the limitations as to bonded indebtedness imposed by this section shall not apply to the bonded indebtedness of School District No. 1 of Anderson County and the school district may incur bonded debt to the extent of not exceeding sixteen per cent of the assessed value of all taxable property therein. Bonded debt incurred by School District No. 1 of Anderson County within the sixteen per cent limitation herein created shall not affect or limit the power of other political subdivisions or municipal corporations, covering or extending over any portion of the territory of the school district, to incur bonded indebtedness."

Ratified the 23rd day of February, 1965.

(R109, S53) **No. 76**

An Act To Create The Board Of Tax Review And Appeals For Kershaw County, To Provide For Its Terms, Powers And Duties, To Provide For Appeals, To Dissolve The Kershaw County Board Of Equalization And Devolve Its Duties Upon The Board Of Tax Review And Appeals.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Board of Tax Review and Appeals created for Kershaw County.—There is hereby created the Board of Tax Review

and Appeals for Kershaw County. The members shall be commissioned by the Governor upon the recommendation of a majority of the legislative delegation for terms of three years or until their successors have been appointed and qualify. One member shall come from each of the townships and one from the county at large. The board shall elect such officers and adopt such rules and methods of procedure as it deems necessary for carrying out its functions.

Before entering upon the discharge of their duties, the members of the board shall qualify by taking the oath of office provided for other county officers. The members shall serve without compensation but shall be paid the per diem and mileage provided by law for boards, commissions and committees.

The board shall review any actions or acts of the tax assessor when so requested in writing by a taxpayer and shall have the authority to confirm or modify any decision of the tax assessor. For their proper determination the records of the tax assessor's office shall be made available and the board may request the presence of the tax assessor at any of its meetings.

The minutes of all meetings of the board shall be a matter of public record with a copy duly certified by the secretary being forwarded to the tax assessor.

SECTION 2. Appeals.—Appeals may be taken by any property owner from the board to the South Carolina Tax Commission for such further relief as may be available to him under the general laws of South Carolina.

SECTION 3. Board of Equalization abolished.—The powers and duties of the Kershaw County Board of Equalization are hereby devolved upon the Board of Tax Review and Appeals and the Kershaw County Board of Equalization is hereby abolished.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of March, 1965.

(R110, S54) **No. 77**

An Act To Provide For The Issuance Of Construction Permits In Kershaw County; To Prohibit Public Utility Companies, Rural Electric Cooperatives Or Any Agency Furnishing Electric Current At Retail From Making Electrical Connections To A Building Constructed Or Improved Without A Permit; And To Provide A Penalty For Violation.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Construction permits required in Kershaw County.—It shall be unlawful for any person to construct or improve any building at a cost in excess of five hundred dollars, in Kershaw County, unless an application has been filed with and a permit granted by the tax assessor, or a magistrate for such construction or improvement; *provided,* that no application or permit shall be required for construction or improvement of buildings situate within any incorporated municipality which requires a permit therefor.

SECTION 2. Forms and information required.—The tax assessor shall prepare and furnish the county magistrates the application forms, which shall show information to be of assistance to him in locating the real estate on which the construction or improvement is to be made and in checking tax returns. This information shall include, but shall not be limited to, the following: (a) name of owner of the real estate; (b) school district; (c) street number or road and rural post office box number; (d) estimated cost of construction or improvement; (e) type of construction or improvement; (f) type of roof; (g) number of stories; (h) number of rooms; and (i) approximate distance from the limits of the nearest municipality.

SECTION 3. Issuance of permit—fee.—The tax assessor or a county magistrate shall issue the permit upon the applicant's paying a fee of three dollars if the cost of construction does not exceed ten thousand dollars, or five dollars if the cost exceeds that amount. The fees shall be remitted to the county treasurer for deposit in a special fund of the county on the last Monday of each month, together with a copy of each permit issued since previous remittance. The permits shall be numbered and be made in triplicate; the original shall be filed with the tax assessor and one copy with the county auditor.

The permit when issued shall be kept at the building or place where such construction or improvement is being done and on demand shall be produced by the person in charge of such work for inspection by any police officer or properly designated agent of the tax assessor's office, and it shall be unlawful to continue the work after demand unless and until the permit is produced for inspection.

SECTION 4. Municipalities to furnish copies to auditor.—Every incorporated municipality in the county, requiring permits for the construction or improvement of buildings upon real estate situate within the municipality, shall furnish to the tax assessor copies of all permits issued by the municipality.

SECTION 5. Penalties.—Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine not exceeding one hundred dollars nor less than five dollars or imprisonment not exceeding ten or less than three days. In case of a violation of the provisions of Section 1 of this act, each day that a violation is continued shall constitute a separate offense.

SECTION 6. Electricity not to be furnished without permit.—It shall be unlawful for any public utility company, rural electric cooperative or any agency furnishing electric current at retail to make a new connection of electrical energy to a building requiring a permit under this act unless such permit was acquired for the construction or improvement of the building. Any company, cooperative or agency making a connection within an incorporated municipality which does not issue building permits shall report to the county tax assessor's office on or before the tenth of each month the location of each connection.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of March, 1965.

(R111, S84)

No. 78

An Act Authorizing The Appointment Of An Aeronautics Commission For Clarendon County And Providing For The Manner Of Appointment, Terms Of Office, Powers And Duties Devolved Thereon.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Clarendon County Aeronautics Commission created.—There is hereby created a commission for Clarendon County to be known as "The Clarendon County Aeronautics Commission" which shall consist of five members who are residents of the county, and who shall be appointed by the Governor upon the recommendation of the county legislative delegation. The terms of the members shall be for five years, and until their successors have been appointed and qualify; *provided,* that their initial terms shall be for five, four, three, two and one years, respectively. Any vacancy shall be filled for the unexpired portion of the term in the same manner as appointments are made for the full term. Members of the commission shall receive no compensation for their services. The commission shall select one of its members as chairman.

SECTION 2. Acquisition and sale of property.—The commission may acquire by grant, purchase, lease or condemnation real property and rights of way for an airport and aeronautical purposes and may so acquire approaches and obstruction rights for airport and aeronautical purposes. The commission may also sell, lease or trade such property and rights as in its opinion are not needed for such purposes. The manner of acquiring property by condemnation shall be as is provided by law for the condemnation of rights of way for road purposes by the State Highway Commission. The commission may receive by gift or donation moneys and other property to be used by it in carrying out the purposes of this act.

SECTION 3. May lease property and make contracts.—The commission may lease to the United States of America or to any agency thereof any and all of the property and rights acquired by the commission. The commission may also enter into agreements with the United States of America or any agency thereof relative to the establishment, operation and maintenance of an airport and aeronautical field in Clarendon County. All such leases and agreements shall be valid and binding upon the commission and the county.

SECTION 4. Rules and regulations.—The commission may promulgate rules or regulations in connection with the operation of an airport and may do anything which in their discretion is proper relative to the operation, maintenance or control of the airport.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of March, 1965.

(R112, S122) **No. 79**

An Act To Create The Anderson County Economic Opportunity Commission And To Prescribe Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Anderson County Economic Opportunity Commission created.—There is hereby created the Anderson County Economic Opportunity Commission.

SECTION 2. To be corporate body.—The commission is hereby declared to be a body politic and corporate and shall exercise and enjoy all the rights and privileges of such.

SECTION 3. Members and compensation.—The commission shall be composed of fourteen members who shall be appointed by the Governor upon the recommendation of the legislative delegation, including the senator. The members of the commission shall serve without compensation.

SECTION 4. Terms and vacancies.—The terms of office of the members of the commission shall be for two years or until their successors are appointed and qualify. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor.

SECTION 5. Officers.—Immediately upon the appointment of the commission, it shall organize by electing one of its members as chairman, a second as vice chairman and a third as secretary and treasurer. The commission shall file a record of its members in the office of the Clerk of Court for Anderson County.

SECTION 6. Powers and duties.—The commission shall be responsible for the improvement of communication and cooperation among existing and future programs and the administration of one or more new programs designed to improve the health, education, welfare, housing or employment of the residents of Anderson County. To this end the commission shall be empowered as follows:

(a) to sue and be sued;

(b) to adopt, use and alter a corporate seal;

(c) to make bylaws for the management and regulation of its affairs;

(d) to appoint agents, employees and servants, to prescribe their duties, to fix their compensation, to determine if and to what extent they shall be bonded for the faithful performance of their duties;

(e) to undertake the improvement of communication and cooperation among existing and future programs administered by federal, state, county and municipal governmental agencies and private nonprofit organizations designed to improve the health, education, welfare, housing or employment of the county residents and, with the consent of such agencies and organizations, to coordinate same;

(f) to enter into contracts and agreements for performance of its programs and duties with federal, state, county and municipal governmental agencies and subdivisions thereof, and private nonprofit organizations;

(g) to accept and receive funds for the performance of its duties in the administration of its programs from such governmental agencies and subdivisions thereof and private nonprofit organizations, as well as any other sources;

(h) to designate an executive committee from among the members of the commission to which may be delegated one or more duties and responsibilities of the commission and, from time to time, to appoint one or more subcommittees composed of residents of Anderson County to advise and assist in the administration of its program and the performance of its duties;

(i) to maintain adequate accounts and records of its activities, receipts and expenses in conformance with requirements of any contract or agreement with any federal, state, county or municipal governmental agency, or subdivision thereof, or any private nonprofit organization; and

(j) to acquire, own or hold in trust, preserve, restore, maintain or lease property, facilities and equipment reasonably necessary for the performance of its duties and the administration of its programs.

SECTION 7. Exempt from taxes.—All property of the commission shall be exempt from all ad valorem taxes levied by Anderson County or any municipality therein, or any division, subdivision or agency thereof, directly or indirectly.

SECTION 8. Fiscal year and audit.—The commission shall conduct its affairs on the fiscal year basis employed by Anderson County. As shortly after the close of its fiscal year as may be practicable, an audit of its affairs shall be made by a certified public accountant in good standing, to be designated by the commission. Copies of such audit, incorporated into an annual report of the commission, shall be filed with the Anderson County Legislative Delegation.

SECTION 9. Contracts not to be impaired.—The right to alter, amend or rescind this act is hereby expressly reserved and disclosed, but no such amendment or repeal shall operate to impair the operation of any contract otherwise made by the authority pursuant to any power conferred by this act.

SECTION 10. When action may be taken.—Any action required of the commission may be taken at any regular or special meeting, and at such meeting a majority of the members shall constitute a quorum.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of March, 1965.

(R113, H1013) **No. 80**

An Act Providing That The Terms "Agriculture, Agricultural Purposes, Agricultural Uses" Or Words Of Similar Import Shall Apply To And Include Horticulture And Floriculture.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Application of certain agricultural terms.—The terms "agriculture, agricultural purposes, agricultural uses" or words

of similar import shall include horticulture and floriculture and words of similar import applicable to agriculture shall likewise be applicable to horticulture and floriculture.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of March, 1965.

(R114, H1115)

No. 81

An Act Requiring Reports Of Certain Physical Abuses Of Children; Providing Immunity From Liability; And Providing Penalties For Violations.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Certain injuries of children to be reported.—All physicians licensed to practice medicine, interns, staff members of hospitals and similar institutions and medical officers of the United States on duty in this State who examine or treat any child under the age of sixteen years, having cause to believe that such child has had a physical injury inflicted upon him other than by accidental means, by a parent or person having the care, control or custody shall report or cause reports to be made of such injury to the proper authority of the county having jurisdiction over minors, or to the sheriff of said county.

SECTION 2. Contents of report.—The report shall be in writing, shall contain the name and address of the child and his parents or caretaker, if known, the nature and extent of the injury and any other information which might be helpful in establishing the cause of the injury and the identity of the perpetrator.

SECTION 3. Immunity from liability.—Anyone participating in the making of a report pursuant to this act or participating in a judicial proceeding resulting therefrom shall be presumed to be acting in good faith and in so doing shall be immune from any liability, civil or criminal, that might otherwise be incurred or imposed.

SECTION 4. Penalties.—Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and, upon convic-

tion, shall be fined not more than one hundred dollars or imprisoned for not more than thirty days.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of March, 1965.

(R115, H1187) **No. 82**

An Act To Amend Title 63 Of The 1962 Code, Relating To Soil Conservation Districts Law, So As To Designate Soil Conservation Districts As Soil And Water Conservation Districts And The State Soil Conservation Committee as The State Soil And Water Conservation Committee, And To Amend Sections 63-53, 63-127 And 63-128 Of The 1962 Code, Relating To Soil Conservation, so As To Enlarge The Power Of The Districts To Include The Prevention Of Floodwater And Sediment Damages, And Further The Conservation, Development, Utilization, And Disposal Of Water.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Soil conservation to mean soil and water conservation.—In Title 63 of the 1962 Code wherever the words "soil conservation" appear, whether capitalized or not, there shall be substituted therefor the words "soil and water conservation", capitalized where appropriate.

SECTION 2. Item 3 of Section 63-53 amended—Legislative declaration.—Item (3) of Section 63-53 of the 1962 Code is amended to read as follows:

"(3) To conserve soil and water resources and control or prevent soil erosion and prevent floodwater and sediment damages, and further the conservation, development, utilization, and disposal of water, it is necessary that land-use practices contributing to soil wastage and soil erosion be discouraged and discontinued and appropriate soil-conserving and land-use practices and works of improvement for flood prevention or the conservation, development, utilization, and disposal of water be adopted and carried out; among the procedures necessary for widespread adoption are the carrying on of engineering

operations, such as the construction of terraces, terrace outlets, check dams, desilting basins, floodwater retarding structures, channel improvements, floodways, dikes, ponds, ditches and the like; the utilization of strip cropping, lister furrowing, contour cultivating and contour furrowing; land drainage and drainage control structures, irrigation, seeding and planting of waste, sloping, abandoned or eroded lands in water conserving and erosion preventing plants, trees and grasses; forestation and reforestation; rotation of crops; soil stabilization with trees, grasses, legumes and other thick growing, soil-holding crops; the addition of soil amendments, manurial materials and fertilizers for the correction of soil deficiencies or for the promotion of increased growth of soil protecting crops; retardation of run-off by increasing absorption of rainfall; and retirement from cultivation of steep, highly erodible areas and areas now badly gullied or otherwise eroded.

And it is further declared to be the policy of the General Assembly to provide for the conservation of the soil and water resources of this State and for the control and prevention of soil erosion, and for the prevention of floodwater and sediment damages, and for furthering the conservation, development, utilization, and disposal of water, and thereby to preserve natural resources, control floods, prevent impairment of dams and reservoirs, assist in maintaining the navigability of rivers and harbors, preserve wildlife, promote recreational development, provide water storage for beneficial purposes, protect the tax base, protect public lands and protect and promote the health, safety and general welfare of the people of this State."

SECTION 3. Section 63-127 amended—powers of district.—Section 63-127 of the 1962 Code is amended to read as follows:

"Section 63-127. A soil and water conservation district organized under the provisions of this chapter and the supervisors thereof shall have the following powers, in addition to others granted in other sections of this chapter:

(1) To conduct surveys, investigations and research relating to the character of soil erosion and floodwater and sediment damages, and to the conservation, development, utilization, and disposal of water, and the preventive and control measures and works of improvement needed, to publish the results of such surveys, investigations or research and to disseminate information concerning such preventive and control measures and works of improvement; *provided,* however, that, in order to avoid duplication of research activities,

no district shall initiate any research program except in cooperation with the government of this State or one of its agencies or with the United States or one of its agencies;

(2) To conduct demonstrational projects within the district on lands owned or controlled by this State or one of its agencies with the cooperation of the agency administering and having jurisdiction thereof and on any other lands within the district upon obtaining the consent of the owner and occupiers of such lands or the necessary rights or interests in such lands, in order to demonstrate by example the means, methods and measures by which soil and water resources may be conserved and soil erosion in the form of soil blowing and soil washing may be prevented and controlled, and works of improvement for flood prevention or the conservation, development, utilization, and disposal of water may be carried out; *provided,* however, that in order to avoid duplication of demonstrational activities, no district shall initiate any demonstrational program except in cooperation with the government of this State or one of its agencies or with the United States or one of its agencies;

(3) To carry out preventive and control measures and works of improvement for flood prevention or the conservation, development, utilization, and disposal of water within the district including, but not limited to, engineering operations, methods of cultivation, the growing of vegetation, changes in use of land, recreational development, water storage facilities, and the measures listed in item (3) of Section 63-53 on lands owned or controlled by this State or one of its agencies, with the cooperation of the agency administering and having jurisdiction thereof, and on any other lands within the district upon obtaining the consent of the owner and the occupiers of such lands or the necessary rights or interests in such lands;

(4) To cooperate, or enter into agreements with and, within the limits of appropriations duly made available to it by law, to furnish financial or other aid to any agency, governmental or otherwise, or to any owner or occupier of lands within the district in the carrying on of erosion control or prevention operations and works of improvement for flood prevention or the conservation, development, utilization, and disposal of water within the district, subject to such conditions as the supervisors may deem necessary to advance the purposes of this chapter;

(5) To obtain options upon and to acquire, by purchase, exchange, lease, gift, grant, bequest, devise or otherwise, any property, real or

personal, or rights or interests therein; to maintain, administer and improve any properties acquired, to receive income from such properties and to expend such income in carrying out the purposes and provisions of this chapter; and to sell, lease or otherwise dispose of any of its property or interests therein in furtherance of the purposes and provisions of this chapter;

(6) To make available, on such terms as it shall prescribe, to landowners and occupiers within the district agricultural and engineering machinery and equipment, fertilizer, seeds and seedlings and such other material or equipment as will assist such landowners and occupiers to carry on operations upon their lands for the conservation of soil and water resources and for the prevention or control of soil erosion and for flood prevention or the conservation, development, utilization, and disposal of water;

(7) To construct, improve, operate and maintain such structures as may be necessary or convenient for the performance of any of the operations authorized in this chapter;

(8) To develop comprehensive plans for the conservation of soil and water resources and for the control and prevention of soil erosion and for flood prevention or the conservation, development, utilization, and disposal of water within the district, which plans shall specify in such detail as may be possible the acts, procedures, performances and avoidances which are necessary or desirable for the effectuation of such plans, including the specification of engineering operations, methods of cultivation, the growing of vegetation, cropping programs, tillage practices, changes in use of land, recreational developments, and water storage facilities; and to publish such plans and information and bring them to the attention of owners and occupiers of lands within the district;

(9) To take over, by purchase, lease or otherwise, and to administer any soil conservation, flood-prevention, drainage, irrigation, water management, erosion-control or erosion-prevention project, or combinations thereof, located within its boundaries undertaken by the United States or one of its agencies or by this State or one of its agencies; to manage, as agent of the United States or one of its agencies or of this State or one of its agencies, any soil-conservation, flood-prevention, drainage, irrigation, water management, erosion-control or erosion-prevention project, or combinations thereof, within its boundaries; to act as agent for the United States or one of its agencies or for this State or one of its agencies in connection with

the acquisition, construction, operation or administration of any soil-conservation, flood-prevention, drainage, irrigation, water management, erosion-control or erosion-prevention project, or combinations thereof, within its boundaries; to accept donations, gifts and contributions in money, services, materials or otherwise from the United States or one of its agencies or from this State or one of its agencies, or from others, and to use or expend such moneys, services, materials or other contributions in carrying on its operations; and

(10) To sue and be sued in the name of the district; to have a seal, which seal shall be judicially noticed; to have perpetual succession unless terminated as provided in article 5 of this chapter; to make and execute contracts and other instruments necessary or convenient to the exercise of its powers; and to make, amend and repeal rules and regulations not inconsistent with this chapter to carry into effect its purposes and powers."

SECTION 4. Section 63-128 amended—certain requirements may be made.—Section 63-128 of the 1962 Code is amended on the last line by adding "and prevent floodwater and sediment damage" between the words "erosion" and "thereon" so that when amended Section 63-128 shall read as follows:

"Section 63-128. As a condition to the extending of any benefits under this chapter to, or the performance of work upon, any lands not owned or controlled by this State or one of its agencies the supervisors may require contributions in money, services, materials or otherwise to any operations conferring such benefits and may require landowners and occupiers to enter into and perform such agreements or covenants as to the permanent use of such lands as will tend to prevent or control erosion and prevent floodwater and sediment damage thereon."

SECTION 5. Not to affect Board of Health and Water Pollution Control Authority.—Nothing contained herein shall be interpreted as limiting in any way the discharge of duties and responsibilities of the Board of Health and the Water Pollution Control Authority of this State as provided in the Code of Laws of South Carolina, 1962.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of March, 1965.

(R116, H1212)

No. 83

An Act To Authorize Fire Protection Beyond The City Limits Of Aiken.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. City of Aiken may extend fire protection beyond corporate limits.—The City Council of Aiken may by ordinance provide for the protection against fire by its fire department beyond the corporate limits and may contract for the furnishing of such protection.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of March, 1965.

(R117, H1224)

No. 84

An Act To Ratify An Amendment To Section 5, Article X, Constitution Of South Carolina, 1895, Limiting Bonded Indebtedness Of Political Subdivisions, So As To Remove Allendale County From The Provision Designated As (8).

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Amendment to Article X, Section 5, State Constitution, ratified—bonded indebtedness of Allendale County.—The amendment to Section 5, Article X, Constitution of South Carolina, 1895, proposed under the terms of Joint Resolution No. 1139 of 1964, having been submitted to the qualified electors at the general election in 1964 in the manner prescribed by Section 1 of Article XVI, Constitution of South Carolina, 1895, and a favorable vote having been received thereon, is ratified and the provision designated as (8) is amended to read as follows:

"(8) *Provided,* That the limitations imposed by Section 5, Article X, of the Constitution of the State of South Carolina, shall not apply to the bonded indebtedness of McCormick County, when the proceeds of such bonds are applied exclusively for the building of a courthouse or jail, or for building, improving, or repairing public highways and bridges, nor shall the limitations of this Constitution, as contained

in Section 5, Article X, apply to any township, school district, municipal corporation or other political subdivision of the county, when the proceeds of such bonds are used for the purpose hereinabove named; *Provided,* The question of incurring such bonded indebtedness is submitted to the qualified electors of the county and a majority of those voting in such election shall vote in favor thereof; but neither the county nor any township, school district, municipal corporation or other political subdivision of the county shall be authorized to incur a bonded indebtedness exceeding fifteen per cent of the assessed value of all the taxable property therein."

Ratified the 25th day of February, 1965.

(R118, H1225)

No. 85

An Act To Ratify An Amendment To Section 5, Article X, Constitution Of South Carolina, 1895, Limiting Bonded Indebtedness Of Political Subdivisions, So As To Permit Allendale County To Incur Bonded Indebtedness In An Amount Not Exceeding Fifteen Per Cent Of The Assessed Value Of All Taxable Property Within The County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Amendment to Article X, Section 5, State Constitution, ratified—bonded indebtedness of Allendale County.— The amendment to Section 5, Article X, Constitution of South Carolina, 1895, proposed under the terms of Joint Resolution No. 1139 of 1964, having been submitted to the qualified electors at the general election in 1964 in the manner prescribed by Section 1 of Article XVI, Constitution of South Carolina, 1895, and a favorable vote having been received thereon, is ratified and the following proviso is added to the Section:

"( ) *Provided,* further, That the limitations as to bonded indebtedness imposed by this section shall not apply to Allendale County, and that the county may incur bonded indebtedness to an amount not exceeding fifteen per cent of the assessed value of taxable property therein."

Ratified the 25th day of February, 1965.

(R119, H1247)

No. 86

An Act To Provide For The Election Of The Mayor And Councilmen Of The Town Of Surfside Beach In Horry County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Election of mayor and councilmen for Town of Surfside Beach.—Notwithstanding the provisions of Section 47-111, Code of Laws of South Carolina, 1962, the Town of Surfside Beach in Horry County shall be governed by a mayor and four councilmen who shall be elected by the qualified electors at large for terms of two years and until their successors are elected and qualify. An election shall be held on the second Tuesday in March of each year commencing March 9, 1965. The two councilmen who receive the lowest number of votes in the 1965 election shall serve for one year only.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of March, 1965.

(R120, H1253)

No. 87

An Act To Amend Sections 65-3405.1 And 65-3405.3, Code Of Laws Of South Carolina, 1962, Relating To The Charleston County Board Of Assessors, So As To Increase The Membership Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 65-3405.1 amended—Charleston County Board of Assessors created.—Section 65-3405.1, Code of Laws of South Carolina, 1962, is amended by striking "six" on line two and inserting in lieu thereof "nine", and by striking "two" on the last line and inserting in lieu thereof "five". The section when amended shall read as follows:

"Section 65-3405.1. There is hereby created the Charleston County board of assessors, to be composed of nine appointed members and the county auditor, who shall be an ex officio member. Of those appointed, one member shall be a resident of that area of the county outside of the city of Charleston lying east of the Cooper River, one member

shall be a resident of that area of the county outside of the city of Charleston lying north of the city between the Ashley and the Cooper Rivers, one member shall be a resident of the city of Charleston, one member shall be a resident of that area outside of the city of Charleston lying west of the Ashley River, and five members shall be appointed at large."

SECTION 2. Section 65-3405.3 amended—chairman—meetings—quorum—compensation.—Section 65-3405.3; Code of Laws of South Carolina, 1962, is amended by striking "three" on line five and inserting in lieu thereof "five", and by striking "Four" on line six and inserting in lieu thereof "Six". The section when amended shall read as follows:

"Section 65-3405.3. The members of the board shall, from among themselves, select one of their members to serve as chairman. The auditor shall not be eligible to serve as chairman of the board and can vote only in cases of a tie. The board shall meet at least once a month and more often as directed by the chairman or upon written request of at least five members of the board. Six members shall constitute a quorum. As compensation, the appointed members shall receive six hundred dollars per year and the chairman shall receive eight hundred dollars per year."

SECTION 3. Terms of additional members.—The three additional members to be appointed pursuant to the provisions of this act shall be appointed immediately following the effective date of this act. One member's term shall expire June 30, 1966, one shall expire June 30, 1967, and one shall expire June 30, 1968, thereafter their successors shall be appointed for terms of three years.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of March, 1965.

(R121, H1256) **No. 88**

An Act To Amend Section 51-316.4, Code Of Laws Of South Carolina, 1962, Relating To The Powers And Duties Of The Hartsville Community Center Building Commission, So As To Authorize The Borrowing Of Monies.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 51-316.4 amended—Commission may borrow money.—Section 51-316.4, Code of Laws of South Carolina, 1962, is amended by adding at the end the following item:

"(11) To borrow money from time to time as may be needed for the maintenance, repair, modernization, improvements and additions to buildings and properties operated by or under the control of the Hartsville Community Center Building Commission to an aggregate total amount at any one time not exceeding twenty-five thousand dollars and to pledge as security for the loan any income or revenues by way of rental charges or otherwise; *provided,* however, that no loan shall be made for a term in excess of ten years from the date of the loan."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of March, 1965.

(R124, H1269) **No. 89**

An Act To Provide That During Municipal Elections All The Area Within The Corporate Limits Of The City Of Easley In Pickens County Shall Be One Voting Precinct.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. City of Easley to have only one voting precinct in municipal elections.—For purposes of municipal elections only, all the area within the corporate limits of the City of Easley in Pickens County shall be consolidated into one voting precinct.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of March, 1965.

(R125, H1270) **No. 90**

An Act To Establish The Office Of City Recorder For The City Of Easley In Pickens County, To Define His Powers, Duties And Jurisdiction, To Provide That He May Suspend Sentences And To Provide For The Filling Of Vacancies.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. City of Easley may employ recorder.—The city council of the City of Easley in Pickens County may employ a recorder who shall try any offense against the ordinances of the City of Easley. The recorder shall be elected by a majority vote of the city council which shall fix his compensation, term of office and court costs. The recorder's jurisdiction shall be the same as that now vested in the mayor of the City of Easley by general and special law and there shall be the same rights of trial and appeal in the recorder's court as exist under the law in all trials before the mayor. The recorder may suspend sentences imposed by him upon such terms as he may deem fit and proper. In the event of a vacancy in the office of the recorder, his duties shall be performed by the mayor or mayor pro tempore, ex officio, who shall have all of the powers of the recorder.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of March, 1965.

(R127, S52) **No. 91**

An Act To Create The Office Of Tax Assessor For Kershaw County And To Provide For His Term Of Office, Salary, And Powers And Dutes; To Establish An Assessment And Equalization System; To Validate Certain Acts Concerning Tax Assessment; And To Devolve The Powers And Duties Of Township Boards Of Assessors Upon The Tax Assessor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Office of tax assessor created for Kershaw County.—There is hereby created the office of Tax Assessor for Kershaw County. He shall be commissioned by the Governor for a four-year

term, commencing January 1, 1965, upon the recommendation of a majority of the legislative delegation. His salary shall be as provided in the annual county appropriations act, and he shall devote his full time to the duties of this office. Vacancies shall be filled as the original appointment for the unexpired term.

SECTION 2. Duties.—The Tax Assessor shall:

(1) Consider the returns and lists laid before him by the county auditor and, if necessary, compare them with the tax return and lists of the previous years;

(2) Seek for and discover all real property in Kershaw County not previously returned by the owners or agents thereof or not listed for taxation by the county auditor, and list it for taxation in the name of the owner or person to whom it is taxable;

(3) Make a preliminary assessment of the value of all real property in the county and enter it upon the returns and lists furnished him by the county auditor for his consideration;

(4) From time to time reassess taxable property in the county so as to reflect its proper valuation in the light of changed conditions and to equalize insofar as is possible all properties within the county; and

(5) With the consent and approval of a majority of the legislative delegation, engage such personnel to assist him in his duties as he deems necessary, whose compensation shall be as provided in the annual county appropriations act.

SECTION 3. Assessments subject to review.—All assessments and reassessments made by the tax assessor shall be subject to review and revision by the Kershaw County Board of Tax Appeals.

SECTION 4. Acts of assessor validated.—All acts and actions of the acting tax assessor are hereby validated and confirmed.

SECTION 5. Duties of township boards of assessors devolved upon assessor.—All powers, duties and privileges of the township Boards of Assessors of Kershaw County, as they relate to the assessment and valuation of property, are hereby devolved upon the tax assessor; subject, however, to the duties and responsibilities of the county auditor as provided by law.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 5th day of March, 1965.

(R128, S82)

No. 92

An Act To Amend The Code Of Laws Of South Carolina, 1962, By Adding Section 15-643.1, To Provide For The Salary Of The Judge Of The County Court Of Greenville County; To Amend Sections 15-654 And 15-656, As Amended, And Sections 15-660, 15-669, 15-671 And 15-673, Code Of Laws Of South Carolina, 1962, Relatng To Terms Of Court, Original And Appellate Jurisdiction, Drawing And Summoning Jurors, Size Of Juries, And Empanelling And Challenging Juries In The County Court Of Greenville County, So As To Provide For The Terms, Increase The Jurisdiction Of The Court And Further Provide For The Drawing, Summoning, Size, Empanelling And Challenging Of The Juries.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 15-643.1 added—salary of judge.—The Code of Laws of South Carolina, 1962, is amended by adding a new section to read as follows:

"Section 15-643.1. The annual salary of the county judge shall be not less than seventy-five per cent of the salary of the circuit judges and shall be paid in equal monthly installments."

SECTION 2. Section 15-654 amended—civil jurisdiction.—Section 15-654, Code of Laws of South Carolina, 1962, as amended, is further amended by striking the word "fifteen" on lines five and seven and inserting in lieu thereof the word "twenty-five", so that when amended the section shall read as follows:

"Section 15-654. The county court shall have concurrent jurisdiction with the court of common pleas in all civil cases and special proceedings, both at law and equity, except that its jurisdiction shall not extend to actions at law for the recovery of money only when the amount demanded in the complaint exceeds twenty-five thousand dollars or to actions at law for the recovery of specific real and personal property when the value of such property exceeds twenty-five thousand dollars. The court shall have concurrent jurisdiction with the court of common pleas of the county in actions relating to divorce from the bonds of matrimony, if one of the parties to the action has been a resident of the county for one year or more prior to the filing of the summons and complaint thereof."

SECTION 3. Section 15-656 amended—appellate civil jurisdiction.—Section 15-656, Code of Laws of South Carolina, 1962, as amended, is further amended by striking on lines six, eight and thirteen the word "fifteen" and inserting in lieu thereof the word "twenty-five", so that when amended the section shall read as follows:

"Section 15-656. The county court shall have appellate jurisdiction concurrent with the court of common pleas to hear and determine appeals:

(1) From the probate court, except that such jurisdiction shall not extend to issues required to be heard de novo before a jury when the amount involved exceeds twenty-five thousand dollars or in case of issue of will or no will when the appraised value of the estate concerned as shown by the records of the probate court exceeds twenty-five thousand dollars;

(2) From preliminary boards or commissions in condemnation proceedings, except that such jurisdiction shall not extend to proceedings required to be heard de novo before a jury when the value or the claimed value of the property concerned exceeds twenty-five thousand dollars;

(3) From the South Carolina Industrial Commission or other administrative boards or bodies within the State; and

(4) From judgments rendered by the magistrates' courts.

The proceedings on such appeals shall be as is now provided for appeals from the last-mentioned tribunals to the court of common pleas."

SECTION 4. Section 15-660 amended—terms.—Section 15-660, Code of Laws of South Carolina, 1962, is amended by striking it in its entirety and inserting in lieu thereof the following:

"Section 15-660. The terms of the county court for Greenville County, in both civil and criminal matters, shall be prescribed by the judge at such times as, in his discretion, he may deem necessary properly to dispatch the business of the court. Any term may continue for such time as is necessary to dispose of the business before the court. The court shall always be open for the transaction of such business as can be disposed of without a jury. If the judge designates consecutive weeks for civil jury trials as more than one term, on all matters relating to motions for new trial and appeals, time shall be computed as if such consecutive weeks for civil jury trials were one term."

SECTION 5. Section 15-669 amended—drawing and summoning jurors.—Section 15-669, Code of Laws of South Carolina, 1962, is amended by striking the words "twenty-two" on line ten and inserting in lieu thereof the word "forty-six", so that when amended the section shall read as follows:

"Section 15-669. Such commissioners shall, upon the order of the county court, at such time as shall be fixed, draw from the jury box a panel of petit jurors, whether the same has been previously drawn or not, and the clerk of the court shall immediately issue to the sheriff a venire containing the names of the persons thus drawn as petit jurors. Such venire shall be returnable at such time as may be named by the court and the persons so served shall be the jurors for the court. The law relating to the qualifications, drawing and summoning of jurors of the circuit court shall apply, except as is otherwise provided in this article. No more than forty-six persons shall be drawn and summoned to attend any civil session of the county court nor more than twenty-four persons shall be drawn and summoned to attend any criminal session of the county court, unless the court shall otherwise order."

SECTION 6. Section 15-671 amended—size of juries.—Section 15-671, Code of Laws of South Carolina, 1962, is amended by striking it in its entirety and inserting in lieu thereof the following:

"Section 15-671. When a jury is required by law in the trial of a case in the court, the jury shall consist of twelve persons in the trial of a civil case and of six persons in the trial of a criminal case."

SECTION 7. Section 15-673 amended—empanelling juries in civil cases.—Section 15-673, Code of Laws of South Carolina, 1962, is amended by striking it in its entirety and inserting in lieu thereof the following:

"Section 15-673. The empanelling of juries in all civil cases in which the jury shall be charged with the trial of any issue shall be according to the laws applicable to the empanelling and challenge of juries and jurors in the court of common pleas."

SECTION 8. Time effective.—Upon approval by the Governor, Section 1 shall take effect as of January 1, 1965; Sections 2, 3 and 5 shall take effect immediately; and Sections 4, 6 and 7 shall take effect at the commencement of the term of the civil court of the County Court of Greenville County next ensuing.

Approved the 3rd day of March, 1965.

(R132, S106) **No. 93**

An Act To Amend Section 33-1579, Code Of Laws Of South Carolina, 1962, Relating To The Powers And Duties Of The Road Supervisor For Dorchester County, So As To Provide That The Sheriff Shall Have Jurisdiction Over Certain Persons Sentenced To The Public Works.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 33-1579 amended—powers and duties of road supervisor.—Section 33-1579, Code of Laws of South Carolina, 1962, is amended by adding at the end thereof the following: *"Provided,* however, persons sentenced to the public works who are detained in the county jail shall be subject to the order, care and keeping of the sheriff." When so amended, the section shall read:

"Section 33-1579. The road supervisor shall have exclusive jurisdiction over all county highways, roads, bridges and ferries in Dorchester County and all road machinery, equipment, trucks, tools and supplies used in connection therewith and shall be charged with the proper upkeep, maintenance, repair and construction of all such highways, roads, bridges and ferries. The road supervisor shall also have exclusive jurisdiction of all persons sentenced to the public works of Dorchester County, and such persons shall be subject to his order, care and keeping. *Provided,* however, persons sentenced to the public works who are detained in the county jail shall be subject to the order, care and keeping of the sheriff."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 5th day of March, 1965.

(R133, S124) **No. 94**

An Act To Create The Georgetown County Economic Opportunity Commission And To Prescribe Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Georgetown County Economic Opportunity Commission created.—There is hereby created the Georgetown County Economic Opportunity Commission.

SECTION 2. To be corporate body.—The commission is hereby declared to be a body politic and corporate and shall exercise and enjoy all the rights and privileges of such.

SECTION 3. Members and compensation.—The commission shall be composed of eleven members. The members shall be residents of the county and shall be appointed by the Governor upon recommendation of a majority of the county legislative delegation, including the senator. Members shall be selected on a basis fairly representative of the residents of the county and of the federal, state, county and municipal governmental and private nonprofit agencies, firms and corporations in the county engaged in improvement of the health, education, welfare, housing and employment of the residents of the county. The members of the commission shall serve without compensation.

SECTION 4. Terms and vacancies.—The terms of office of the appointive members of the commission shall be one year or until their successors are appointed and qualify. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor.

SECTION 5. Officers.—Immediately upon the appointment of the commission, it shall organize by electing one of its members as chairman, a second as vice chairman, a third as secretary and a fourth as treasurer. The officers of the commission shall hold office for terms of one year and until their successors shall be chosen and qualify. The commission shall file a record of its members and their respective terms in the office of the Clerk of Court for Georgetown County.

SECTION 6. Powers and duties.—The commission shall be responsible for the improvement of communication and cooperation among existing and future programs and the administration of one or more new programs designed to improve the health, education, welfare, housing or employment of the residents of Georgetown County. To this end the commission shall be empowered as follows:

(a) to sue and be sued;

(b) to adopt, use and alter a corporate seal;

(c) to make bylaws for the management and regulation of its affairs;

(d) to appoint agents, employees and servants, to prescribe their duties, to fix their compensation, to determine if and to what extent they shall be bonded for the faithful performance of their duties;

(e) to undertake the improvement of communication and cooperation among existing and future programs administered by federal, state, county and municipal governmental agencies and private nonprofit organizations designed to improve the health, education, welfare, housing or employment of the county residents and, with the consent of such agencies and organizations, to coordinate same;

(f) to enter into contracts and agreements for performance of its programs and duties with federal, state, county and municipal governmental agencies and subdivisions thereof, and private nonprofit organizations;

(g) to accept and receive funds for the performance of its duties in the administration of its programs from such governmental agencies and subdivisions thereof and private nonprofit organizations, as well as any other sources;

(h) to designate an executive committee from among the members of the commission to which may be delegated one or more duties and responsibilities of the commission and, from time to time, to appoint one or more subcommittees composed of residents of Georgetown County to advise and assist in the administration of its program and the performance of its duties;

(i) to maintain adequate accounts and records of its activities, receipts and expenses in conformance with requirements of any contract or agreement with any federal, state, county or municipal governmental agency, or subdivision thereof, or any private nonprofit organization; and

(j) to acquire, own or hold in trust, preserve, restore, maintain or lease property, facilities and equipment reasonably necessary for the performance of its duties and the administration of its programs.

SECTION 7. Exempt from taxes.—All property of the commission shall be exempt from all ad valorem taxes levied by Georgetown County or municipality therein, or any division, subdivision or agency thereof, directly or indirectly.

SECTION 8. Fiscal year and audit.—The commission shall conduct its affairs on the fiscal year basis employed by Georgetown County. As shortly after the close of its fiscal year as may be practicable an audit of its affairs shall be made by a certified public

accountant in good standing, to be designated by the commission. Copies of such audit, incorporated into an annual report of the commission, shall be filed with the senator, the secretary of the house delegation and the office of the Clerk of Court for Georgetown County.

SECTION 9. Contracts not to be impaired.—The right to alter, amend or rescind this act is hereby expressly reserved and disclosed, but no such amendment or repeal shall operate to impair the operation of any contract otherwise made by the authority pursuant to any power conferred by this act.

SECTION 10. When action may be taken.—Any action required of the commission may be taken at any regular or special meeting, and at such meeting a majority of the members shall constitute a quorum.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 5th day of March, 1965.

(R135, S140) **No. 95**

An Act To Amend The Code Of Laws Of South Carolina, 1962, By Adding Section 33-1581.1, Prohibiting The Acceptance Or Improvement Of Public Highways In Dorchester County Under Certain Conditions.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 33-1581.1 added—certain streets or roads not to be accepted as highways.—The Code of Laws of South Carolina, 1962, is amended by adding Section 33-1581.1, to read as follows:

"Section 33-1581.1. It shall be unlawful for the authorities of Dorchester County having the control and supervision of the roads to accept or improve as public highways any street or road unless it meets the minimum specifications for farm-to-market roads in regard to drainage and width of right of way as set forth by the State Highway Department. For acceptance it shall not be required that the street or road shall have been hard-surface treated but it shall

be required that drainage facilities shall have been installed as provided under the minimum specifications. *Provided,* this section shall not apply to any street or road in existence prior to January 1, 1965."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 5th day of March, 1965.

(R138, H1166) **No. 96**

An Act To Amend Section 16-573, Code Of Laws Of South Carolina, 1962, Relating To Fortunetelling In Certain Counties, So As To Prohibit The Practice Of Healing Or Advising Or Offering To Heal Or Advise For Compensation In Orangeburg County By Persons Unlicensed To Perform Such Services, But Exempting Christian Science Healing.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 16-573 amended—fortunetelling unlawful in certain counties.—Section 16-573, Code of Laws of South Carolina, 1962, is amended by adding at the end thereof the following: "*Provided,* that no person shall engage in or offer to engage in the practice of healing or advising for compensation in Orangeburg County unless such person shall have been licensed by the State of South Carolina for such healing or advising. *Provided,* however, the provisions of this section shall not apply to the practice of Christian Science healing or the religious tenets of any church in the ministration to the sick or suffering by mental or spiritual means whether gratuitously or for compensation." When so amended, the section shall read:

"Section 16-573. It shall be unlawful in Bamberg, Berkeley, Darlington, Jasper, Orangeburg, Saluda or Sumter Counties to engage in the business, trade or profession of fortunetelling, palmistry, phrenology, clairvoyance or the prediction of future events by cards or other means or to offer to tell fortunes or predict future events by palmistry, astrology, clairvoyance, cards or other means. Any person violating the provisions of this section shall be guilty of a misdemeanor and upon conviction shall be subject to a fine of not

less than twenty-five dollars nor more than one hundred dollars or imprisonment for not less than fifteen nor more than thirty days. *Provided,* that no person shall engage in or offer to engage in the practice of healing or advising for compensation in Orangeburg County unless such person shall have been licensed by the State of South Carolina for such healing or advising. *Provided,* however, the provisions of this section shall not apply to the practice of Christian Science healing or the religious tenets of any church in the ministration to the sick or suffering by mental or spiritual means whether gratuitously or for compensation."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 5th day of March, 1965.

(R139, H1237) **No. 97**

An Act Making It Unlawful To Start Fires In Greenwood County Except Under Certain Conditions And Providing Penalties For Violations.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Unlawful to start certain fires in Greenwood County.—It shall be unlawful for any owner or lessee of land or any employee of any such owner or lessee or other person to start, or cause to be started, any fire in any woodlands, brushlands, grasslands, ditchbanks, or hedgerows or in any debris, leaves or other flammable material adjacent thereto in Greenwood County, except under the following conditions:

(a) Proper notification shall be given to the State Forester, or his duly authorized representative or other persons designated by the State Forester. The notice shall contain all information required by the State Forester or his representative.

(b) Such persons shall have cleared around the area and have immediately available sufficient equipment and personnel to adequately secure the fire and prevent its spread.

(c) The person starting the burning shall supervise carefully any such fire and have it under control prior to leaving the area.

SECTION 2. Permission required.—A lessee of any land, or any employee of any landowner or lessee of land, or other person, must receive prior authorization from the landowner to conduct such burning, in addition to complying with the other provisions of this act.

SECTION 3. Exceptions.—The provisions of this act shall not apply to fires which may be started within the corporate limits of any municipality, nor to fires started on rights of way of railroads by their duly authorized employees to remove fire hazards unless the State Forester, or his representative, after investigation shall notify such railroad that its practices are disapproved on account of the failure to exercise such safeguards against the spread of fire.

SECTION 4. No burning during emergencies.—No burning shall be carried out during any period which the Governor has declared that an emergency exists in connection with forest fires.

SECTION 5. State Forester may prohibit starting of fires.—The State Forester may direct at any time, when deemed necessary in the interest of public safety, that fire or fires covered by this act not be started.

SECTION 6. Penalties.—Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not less than ten dollars nor more than one hundred dollars or be imprisoned for not less than ten days nor more than thirty days. For any second or subsequent offense, a fine of not less than twenty-five dollars nor more than five hundred dollars or imprisonment for not more than one year may be imposed in the discretion of the court.

SECTION 7. Time effective.—This act shall take effect upon its approval by the Governor.

Approved the 5th day of March, 1965.

(R140, H1239) **No. 98**

An Act To Amend Sections 15-707, 15-710, 15-716, 15-723 Through 15-726, And 15-742, Code Of Laws Of South Carolina, 1962, Relating To The County Court Of Orangeburg County, So

As To Delete Certain Criminal Jurisdictions And Procedures, To Change The Civil Terms, And To Repeal Sections 15-706, 15-715, 15-727, 15-728 And 15-738, Code Of Laws Of South Carolina, 1962, Relating To The County Court Of Orangeburg County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 15-707 amended—stenographer and reporter.—Section 15-707, Code of Laws of South Carolina, 1962, is amended to read as follows:

"Section 15-707. The county court stenographer shall be the court reporter and shall attend upon the sessions of the court. He shall receive no additional salary for such service. The stenographer shall furnish transcripts of the proceedings upon request of the parties litigant and shall be entitled to receive as compensation therefor a fee of five cents per hundred words for all transcripts so furnished, which shall be paid by the litigant requesting the same. The stenographer shall write out for the county judge without charge such records, excerpts and transcripts as he may require."

SECTION 2. Section 15-710 amended—duties of sheriff.—Section 15-710, Code of Laws of South Carolina, 1962, is amended to read as follows:

"Section 15-710. The sheriff of the county or his deputy shall attend upon all sessions of the county court and shall be subject to the orders thereof. He shall execute the orders, writs and mandates of the county court as required by law in reference to the circuit court. The costs and fees of the sheriff in civil cases in the county court shall be the same as those allowed in similar cases in the court of common pleas. The sheriff shall, with the approval of the judge, appoint such bailiffs as may be necessary."

SECTION 3. Section 15-716 amended—civil appellate jurisdiction.—Section 15-716, Code of Laws of South Carolina, 1962, is amended to read as follows:

"Section 15-716. The county court shall have concurrent jurisdiction with the court of common pleas to hear and determine all appeals in civil cases from judgments rendered by the magistrates' courts and all other inferior courts, and the proceedings on such appeals shall be the same as provided for appeals in such cases from the magistrates' courts to the court of common pleas."

SECTION 4. Section 15-723 amended—terms of court.—Section 15-723, Code of Laws of South Carolina, 1962, is amended to read as follows:

"Section 15-723. The civil terms of the county court shall be held on the second Monday of February, the fourth Monday of June, and the third Monday of October in each year, and at such other times as the judge or court shall order, and shall continue for such time as is necessary to dispose of the business before the court."

SECTION 5. Section 15-724 amended—court open at all times.—Section 15-724, Code of Laws of South Carolina, 1962, is amended to read as follows:

"Section 15-724. The county court shall always be open for transaction of business that can be disposed of without a jury."

SECTION 6. Section 15-725 amended—general laws and rules of court applicable.—Section 15-725, Code of Laws of South Carolina, 1962, is amended to read as follows:

"Section 15-725. The general laws, statutory provisions and rules of court applicable generally to the circuit courts of this State and the trials of cases therein shall apply to the county court and to the conduct and trial of cases therein when not inconsistent with this article. Any judgment rendered may be entered upon the third day after such rendition or upon the same day with leave of the court."

SECTION 7. Section 15-726 amended—pleadings and procedure.—Section 15-726, Code of Laws of South Carolina, 1962, is amended to read as follows:

"Section 15-726. The same forms of pleadings and the same rules of procedure, practice and evidence shall obtain in the county court as provided by law for the trial of civil cases in the circuit court when not inconsistent with the provisions of this article. The pleadings or copies thereof in a case for trial before the county court shall be filed in the office of the clerk of court, as provided by law in the circuit court, before noon of the Monday preceding the first day of the next ensuing term of county court, and the clerk shall forthwith enter the cases upon the appropriate calendar."

SECTION 8. Section 15-742 amended—appeals to Supreme Court.—Section 15-742, Code of Laws of South Carolina, 1962, is amended to read as follows:

"Section 15-742. In all civil actions and special proceedings of which the county court shall have jurisdiction the right of appeal shall

be to the Supreme Court and in the same manner and pursuant to the same rules, practices and procedures as now govern appeals from circuit courts."

SECTION 9. Sections 15-706, 15-715, 15-727, 15-728 and 15-738 repealed.—Sections 15-706, 15-715, 15-727, 15-728 and 15-738, Code of Laws of South Carolina, 1962, are hereby repealed.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 5th day of March, 1965.

(R141, H1260) **No. 99**

An Act To Exclude Oconee County From The Provisons Permitting The Mere Indexing Of Chattel Mortgages Securing One Hundred Dollars Or Less And Chattel Mortgages Of Crops, And To Amend Section 60-309, Code Of Laws Of South Carolina, 1962, Relating To The Removal And Destruction Of Certain Chattel Mortgages In Charleston County, So As To Permit Oconee County To Remove And Destroy Certain Chattel Mortgages.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Sections 60-302.1 and 60-304 applicable to Oconee County.—The provisions of Sections 60-302.1 and 60-304, Code of Laws of South Carolina, 1962, shall apply to Oconee County.

SECTION 2. Section 60-309 amended—Charleston and Oconee Counties may destroy old records.—Section 60-309, Code of Laws of South Carolina, 1962, is amended by adding between the words "County" and "may" on line two the words "and the clerk of court of Oconee County." The section when amended shall read as follows:

"Section 60-309. The register of mesne conveyances of Charleston County and the clerk of court of Oconee County may remove and destroy chattel mortgage books and indexes thereto containing only or pertaining only to instruments which have been re-recorded under Section 60-306.1 or the notice of which has expired if the instruments therein and indexes thereto have been a matter of record for five years or longer."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 5th day of March, 1965.

(R146, H1294) **No. 100**

An Act To Amend The Code Of Laws Of South Carolina, 1962, By Adding Section 14-400.705:1 So As To Require Persons Furnishing Electricity In Berkeley County To Furnish A Report To The Auditor Of The County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 14-400.705:1 added—Berkeley County—persons furnishing electricity to make reports.—The Code of Laws of South Carolina, 1962, is amended by adding Section 14-400.705:1 to read as follows:

"Section 14-400.705:1. Any person who furnishes electricity in Berkeley County shall make a report, on forms prepared and furnished by the Auditor of Berkeley County, of all new electric service connections within the county. The report shall be transmitted to the auditor on or before the tenth of each month."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 5th day of March, 1965.

(R147, H1296) **No. 101**

An Act To Set The Date For Municipal Elections In The Town Of Johnsonville In Florence County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. When municipal elections to be held in Town of Johnsonville.—Municipal elections in the town of Johnsonville in Florence County shall be held on the second Tuesday in May of each general election year.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 5th day of March, 1965.

(R148, H1297) **No. 102**

An Act To Provide That The Town Of Johnsonville In Florence County May Clean Up Vacant Lots When The Owner Thereof After Notice Refuses To Do So And Assess The Owner For The Expenses Incurred; And To Make The Lien Created Apply As In Cases Involving Liens For Taxes.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Town of Johnsonville may clean up vacant lots.—The Town of Johnsonville in Florence County, ten days after sending written notice to the owner of any vacant lot within the corporate limits of the municipality that it has determined that the owner shall clean up such vacant lot to insure the public health and safety, may clean up the vacant lot if the owner has not done so and may assess the owner for the expenses incurred. The assessment shall constitute a lien upon the lot involved as in cases involving liens for taxes.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 5th day of March, 1965.

(R149, H1301) **No. 103**

An Act To Amend Section 23-176, Code Of Laws Of South Carolina, 1962, As Amended, Relating To Voting Precincts In Greenville County, So As To Change The Place Of Voting In Ward 3 Box 3.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 23-176 amended—Greenville County—voting in Ward 3 Box 3.—Notwithstanding the provisions of Section

23-176, Code of Laws of South Carolina, 1962, as amended, voting in Ward 3 Box 3 shall be at Pleasantburg Office Civic Room of Fidelity Federal Savings and Loan Association in Pleasantburg Shopping Center.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 5th day of March, 1965.

(R150, H1311)

No. 104

An Act To Create The Spartanburg County Economic Opportunity Commission And To Prescribe Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Spartanburg County Economic Opportunity Commission created.—There is hereby created the Spartanburg County Economic Opportunity Commission.

SECTION 2. To be corporate body.—The commission is hereby declared to be a body politic and corporate and shall exercise and enjoy all the rights and privileges of such.

SECTION 3. Members and compensation.—The commission shall be composed of five members who shall be appointed by the Governor upon the recommendation of the legislative delegation. The members of the commission shall serve without compensation.

SECTION 4. Terms and vacancies.—The terms of office of the members of the commission shall be for two years or until their successors are appointed and qualify. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor. Of the initial appointees, two shall serve for one year.

SECTION 5. Officers.—Immediately upon the appointment of the commission, it shall organize by electing one of its members as chairman, a second as vice chairman and a third as secretary and treasurer. The commission shall file a record of its members in the office of the Clerk of Court for Spartanburg County.

SECTION 6. Powers and duties.—The commission shall be responsible for the improvement of communication and cooperation among existing and future programs and the administration of one or more new programs designed to improve the health, education, welfare, housing or employment of the residents of Spartanburg County. To this end the commission shall be empowered as follows:

(a) to sue and be sued;

(b) to adopt, use and alter a corporate seal;

(c) to make bylaws for the management and regulation of its affairs;

(d) to appoint agents, employees and servants, to prescribe their duties, to fix their compensation, to determine if and to what extent they shall be bonded for the faithful performance of their duties;

(e) to undertake the improvement of communication and cooperation among existing and future programs administered by federal, state, county and municipal governmental agencies and private nonprofit organizations designed to improve the health, education, welfare, housing or employment of the county residents and, with the consent of such agencies and organizations, to coordinate same;

(f) to enter into contracts and agreements for performance of its programs and duties with federal, state, county and municipal governmental agencies and subdivisions thereof, and private nonprofit organizations;

(g) to accept and receive funds for the performance of its duties in the administration of its programs from such governmental agencies and subdivisions thereof and private nonprofit organizations, as well as any other sources;

(h) to designate an executive committee from among the members of the commission to which may be delegated one or more duties and responsibilities of the commission and, from time to time, to appoint one or more sub-committees composed of residents of Spartanburg County to advise and assist in the administration of its program and the performance of its duties;

(i) to maintain adequate accounts and records of its activities, receipts and expenses in conformance with requirements of any contract or agreement with any federal, state, county or municipal governmental agency, or subdivision thereof, or any private nonprofit organization; and

(j) to acquire, own or hold in trust, preserve, restore, maintain or lease property, facilities and equipment reasonably necessary for the performance of its duties and the administration of its programs.

SECTION 7. Exempt fom taxes.—All property of the commission shall be exempt from all ad valorem taxes levied by Spartanburg County or any municipality therein, or any division, subdivision or agency thereof, directly or indirectly.

SECTION 8. Fiscal year and audit.—The commission shall conduct its affairs on the fiscal year basis employed by Spartanburg County. As shortly after the close of its fiscal year as may be practicable an audit of its affairs shall be made by a certified public accountant in good standing, to be designated by the commission. Copies of such audit, incorporated into an annual report of the commission, shall be filed with the Spartanburg County Legislative Delegation.

SECTION 9. Contracts not to be impaired.—The right to alter, amend or rescind this act is hereby expressly reserved and disclosed, but no such amendment or repeal shall operate to impair the operation of any contract otherwise made by the authority pursuant to any power conferred by this act.

SECTION 10. When action may be taken.—Any action required of the commission may be taken at any regular or special meeting, and at such meeting a majority of the members shall constitute a quorum.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 5th day of March, 1965.

(R151, H1313) **No. 105**

An Act To Create The Oconee County Economic Opportunity Commission And To Pescribe Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Oconee County Economic Opportunity Commission created.—There is hereby created the Oconee County Economic Opportunity Commission.

SECTION 2. To be corporate body.—The commission is hereby declared to be a body politic and corporate and shall exercise and enjoy all the rights and privileges of such.

SECTION 3. Members and compensation.—The commission shall be composed of eleven members who shall be residents of the county. Ten of the members shall be appointed by the Governor upon recommendation of a majority of the county legislative delegation and one shall be a member of the county legislative delegation, ex officio, selected by a majority of the delegation. Members shall be selected on a basis fairly representative of all the residents of the county and shall serve without compensation.

SECTION 4. Terms and vacancies.—The term of office of the members of the commission shall be one year or until their successors are appointed and qualify. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor.

SECTION 5. Officers.—Immediately upon the appointment of the commission, it shall organize by electing one of its members as chairman, a second as vice chairman, a third as secretary and a fourth as treasurer. The officers of the commission shall hold office for terms of one year and until their successors shall be chosen and qualify. The commission shall file a record of its members and their respective terms in the office of the Clerk of Court for Oconee County.

SECTION 6. Powers and duties.—The commission shall be responsible for the improvement of communication and cooperation among existing and future programs and the administration of one or more new programs designed to improve health, education, welfare, housing or employment of the residents of Oconee County. To this end the commission shall be empowered as follows:

(a) to sue and be sued;

(b) to adopt, use and alter a corporate seal;

(c) to make bylaws for the management and regulation of its affairs;

(d) to appoint agents, employees and servants, to prescribe their duties, to fix their compensation, to determine if and to what extent they shall be bonded for the faithful performance of their duties;

(e) to undertake the improvement of communication and cooperation among existing and future programs administered by federal,

state, county and municipal governmental agencies and private nonprofit organizations designed to improve the health, education, welfare, housing or employment of the county residents and, with the consent of such agencies and organizations, to coordinate the same;

(f) to enter into contracts and agreements for performance of its programs and duties with federal, state, county and municipal governmental agencies and subdivisions thereof, and private nonprofit organizations;

(g) to accept and receive funds for the performance of its duties in the administration of its programs from such governmental agencies and subdivisions thereof and private nonprofit organizations, as well as any other sources;

(h) to designate an executive committee from among the members of the commission to which may be delegated one or more duties and responsibilities of the commission and, from time to time, to appoint one or more sub-committees composed of residents of Oconee County to advise and assist in the administration of its program and the performance of its duties;

(i) to maintain adequate accounts and records of its activities, receipts and expenses in conformance with requirements of any contract or agreement with any federal, state, county or municipal governmental agency, or subdivision thereof, or any private nonprofit organization; and

(j) to acquire, own or hold in trust, preserve, restore, maintain or lease property, facilities and equipment reasonably necessary for the performance of its duties and the administration of its programs.

SECTION 7. Exempt from taxes.—All property of the commission shall be exempt from all ad valorem taxes levied for Oconee County or any municipality therein, or any division, subdivision or agency thereof, directly or indirectly.

SECTION 8. Fiscal year and audit.—The commission shall conduct its affairs on the same year basis as employed by Oconee County. As shortly after close of each year as may be practical an audit of its affairs shall be made by a certified public accountant in good standing, to be designed by the commission. Copies of such audit, incorporated into an annual report of the commission, shall be filed with each member of the legislative delegation and the office of the Clerk of Court for Oconee County.

SECTION 9. Contracts not to be impaired.—The right to alter, amend or rescind this act is hereby expressly reserved and disclosed, but no such amendment or repeal shall operate to impair the operation of any contract otherwise made by the authority pursuant to any power conferred by this act.

SECTION 10. When action may be taken.—Any action required of the commission may be taken at any regular or special meeting, and at such meeting a majority of the members shall constitute a quorum.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 5th day of March, 1965.

(R152, S112) **No. 106**

An Act To Create The Lancaster County Airport Commission And Prescribe Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Lancaster County Airport Commission created.—There is hereby created the Lancaster County Airport Commission, which shall be composed of five members. The members shall be appointed by the Governor upon recommendation of the majority of the legislative delegation, including the Senator. The initial appointments shall be for one, two, three, four and five years, respectively, and thereafter all terms shall be for five years or until their successors have been appointed and qualify. Any vacancy may be filled for the unexpired term. The members shall serve without compensation but shall receive the per diem and mileage prescribed by law for members of boards, commissions and committees, not to exceed the amount provided in the annual county appropriations act.

SECTION 2. Powers and duties.—The commission shall have the following duties, powers and authority:

(1) It shall administer in Lancaster County all aeronautic laws and the handling of all matters affecting airports, including the receiving and expenditure of all funds provided for such airports; and

(2) It shall have general authority concerning the land acquired by the county for airport or aeronautical purposes, shall generally assist

the Federal Government and the officials of the county in all matters affecting the airports located in the county and may make such contracts and enter into such agreements as in its opinion are in the best interest of the county.

SECTION 3. May accept and manage property.—The commission is constituted an agency of Lancaster County and shall accept for and in behalf of the county, by deed, gift or otherwise from the Federal Government or any of its agencies, any and all property of every kind or description the ownership of which by the commission may tend to promote and advance aeronautics in Lancaster County. It may also receive, manage and control any and all property made to or given to Lancaster County for the purpose of inaugurating and establishing an airport in the county.

SECTION 4. Investigate possibility of establishing airport.—The commission may investigate the possibility of building, establishing and maintaining an airport in Lancaster County and make recommendations to the county legislative delegation.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of March, 1965.

(R153, S125) **No. 107**

An Act To Amend Section 59-182, Code Of Laws Of South Carolina, 1962, Relating To Borrowing For Public Works By The City Of Spartanburg, So As To Extend The Maturity Date Of The Evidence Of Indebtedness.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 59-182 amended—City of Spartanburg may borrow money.—Section 59-182, Code of Laws of South Carolina, 1962, is amended by striking "one year" on line four and inserting "six years" so that, when so amended, the section shall read:

"Section 59-182. With the concurrence of the city council, the commissioners of public works of the city of Spartanburg may borrow, on their negotiable notes or certificates of indebtedness to mature not more than six years after date of issue and to bear not more

than six per cent interest, sums not exceeding one million dollars for waterworks purposes, or issue and sell warrants not exceeding one million dollars in amount in payment for materials and work contracted for waterworks purposes."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of March, 1965.

(R154, S128) **No. 108**

An Act To Provide For The Election And Terms Of Office Of The Town Officials Of Pamplico In Florence County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Election and terms of town officials of Pamplico.—Notwithstanding the provisions of Section 47-112, Code of Laws of South Carolina, 1962, municipal elections in the Town of Pamplico in Florence County shall be held on the second Tuesday of January in each general election year. Those persons elected shall take office on the first of February following their election.

The mayor and four councilmen shall serve for four years and until their successors have been elected and qualify. *Provided,* however, in the initial election, the two councilmen receiving the highest number of votes shall serve for four years and the two receiving the next highest number of votes shall serve for two years.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of March, 1965.

(R155, S148) **No. 109**

An Act To Amend Section 14-400.922, Code Of Laws Of South Carolina, 1962, Relating To The Issuance Of Building Permits In Laurens County, So As To Further Provide Therefor, And To

Amend The Code Of Laws Of South Carolina, 1962, By Adding Section 14-400.925, So As To Prohibit Public Utilities And Rural Electric Cooperatives From Making Connections Without Permits, And To Require Certain Reports To The Auditor Of Laurens County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 14-400.922 amended—form and issuance of permits.—Section 14-400.922, Code of Laws of South Carolina, 1962, is amended to read as follows:

"Section 14-400.922. The permits required by this article shall be in such form as may be prescribed by the Laurens County Board of Commissioners. The auditor of the county shall issue the permits, giving the original to the property owner and retaining a duplicate in his office."

SECTION 2. Section 14-400.925 added—electricity not to be furnished without permit.—The Code of Laws of South Carolina, 1962, is amended by adding Section 14-400.925, as follows:

"Section 14-400.925. It shall be unlawful for any public utility company or rural electric cooperative to make a new connection of electrical energy to a building requiring a permit unless such permit was acquired for the construction or improvement to the building. Any company or cooperative making a connection within the county or within any incorporated municipality which does not issue building permits shall report to the Auditor of Laurens County, on or before the tenth of each month, the location of each connection."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of March, 1965.

(R157, S160) **No. 110**

An Act To Create The Lancaster County Economic Opportunity Commission And To Prescribe Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Lancaster County Economic Opportunity Commission created.—There is hereby created the Lancaster County Economic Opportunity Commission.

SECTION 2. To be corporate body.—The commission is hereby declared to be a body politic and corporate and shall exercise and enjoy all the rights and privileges of such.

SECTION 3. Members and compensation.—The commission shall be composed of twelve members who shall be appointed by the Governor upon the recommendation of the legislative delegation. The members of the commission shall serve without compensation.

SECTION 4. Terms and vacancies.—The terms of office of the members of the commission shall be for two years or until their successors are appointed and qualify. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor.

SECTION 5. Officers.—Immediately upon the appointment of the commission, it shall organize by electing one of its members as chairman, a second as vice chairman and a third as secretary and treasurer. The commission shall file a record of its members in the office of the Clerk of Court for Lancaster County.

SECTION 6. Powers and duties.—The commission shall be responsible for the improvement of communication and cooperation among existing and future programs and the administration of one or more new programs designed to improve the health, education, welfare, housing or employment of the residents of Lancaster County. To this end the commission shall be empowered as follows:

(a) to sue and be sued;

(b) to adopt, use and alter a corporate seal;

(c) to make bylaws for the management and regulation of its affairs;

(d) to appoint agents, employees and servants, to prescribe their duties, to fix their compensation, to determine if and to what extent they shall be bonded for the faithful performance of their duties;

(e) to undertake the improvement of communication and cooperation among existing and future programs administered by federal, state, county and municipal governmental agencies and private nonprofit organizations designed to improve the health, education, welfare, housing or employment of the county residents and, with the consent of such agencies and organizations, to coordinate same;

(f) to enter into contracts and agreements for performance of its programs and duties with federal, state, county and municipal governmental agencies and subdivisions thereof, and private nonprofit organizations;

(g) to accept and receive funds for the performance of its duties in the administration of its programs from such governmental agencies and subdivisions thereof and private nonprofit organizations, as well as any other sources;

(h) to designate an executive committee from among the members of the commission to which may be delegated one or more duties and responsibilities of the commission and, from time to time, to appoint one or more subcommittees composed of residents of Lancaster County to advise and assist in the administration of its program and the performance of its duties;

(i) to maintain adequate accounts and records of its activities, receipts and expenses in conformance with requirements of any contract or agreement with any federal, state, county or municipal governmental agency, or subdivision thereof, or any private nonprofit organization; and

(j) to acquire, own or hold in trust, preserve, restore, maintain or lease property, facilities and equipment reasonably necessary for the performance of its duties and the administration of its programs.

SECTION 7. Exempt from taxes.—All property of the commission shall be exempt from all ad valorem taxes levied by Lancaster County or any municipality therein, or any division, subdivision or agency thereof, directly or indirectly.

SECTION 8. Fiscal year and audit.—The commission shall conduct its affairs on the fiscal year basis employed by Lancaster County. As shortly after the close of its fiscal year as may be practicable, an audit of its affairs shall be made by a certified public accountant in good standing, to be designated by the commission. Copies of such audit, incorporated into an annual report of the commission, shall be filed with the Lancaster County Legislative Delegation.

SECTION 9. Contracts not to be impaired.—The right to alter, amend or rescind this act is hereby expressly reserved and disclosed, but no such amendment or repeal shall operate to impair the operation of any contract otherwise made by the authority pursuant to any power conferred by this act.

SECTION 10. When action may be taken.—Any action required of the commission may be taken at any regular or special meeting, and at such meeting a majority of the members shall constitute a quorum.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of March, 1965.

(R159, S163) **No. 111**

An Act To Authorize The Appointment Of A Deputy Judge Of Probate In Allendale County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Allendale County Judge of Probate may appoint deputy.—The Judge of Probate of Allendale County may appoint a deputy judge of probate, and a record of the appointment shall be made in the office of the judge. Before entering upon the duties of deputy judge of probate, the deputy shall take the oath prescribed by the Constitution and, when so qualified, the deputy may do and perform all of the duties appertaining to the office of his principal. The appointment shall be evidenced by a certificate signed by the judge of probate, and shall continue during the pleasure of the judge of probate who made the appointment.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of March, 1965.

(R160, S164) **No. 112**

An Act To Constitute The Board Of Education For Allendale County As Ex Officio Trustees Of The School District Of Allendale County; To Amend Articles 1 And 2, Chapter 20, Title 21, Code Of Laws Of South Carolina, 1962, Relating To The Powers And Duties Of School Trustees And The Board Of Education

Of Allendale County, So As To Devolve The Powers And Duties Of Trustees Upon The Board Of Education; To Abolish The Present Board Of Trustees; And To Provide For Removal Of Board Members For Cause.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. County Board of Educaton for Allendale County constituted as board of trustees.—The County Board of Education for Allendale County is hereby constituted the Board of Trustees, ex officio, for the School District of Allendale County.

SECTION 2. Article 1, Chapter 20 of Title 21 amended—Allendale County school funds.—Article 1, Chapter 20, Title 21, Code of Laws of South Carolina, 1962, is amended to read as follows:

"ARTICLE 1.

General Provisions.

Section 21-1101. The Board of Education of Allendale County (hereinafter called the "board") shall file with the legislative delegation and the auditor of the county on or before the first of April a report itemizing the amount of money needed for the maintenance and operation of the schools in the district for the ensuing scholastic year, and shall report all anticipated revenues for maintenance and operating expenses and the amount of the levy or property tax necessary to raise such amount. A copy of the report shall also be filed and kept as a permanent record in the office of the county superintendent of education.

Section 21-1102. Upon consideration of the report filed by the board, the legislative delegation shall authorize the ad valorem tax found necessary. Thereafter, it shall become the duty of the county auditor to levy, and the county treasurer to collect, a tax on all of the property in the school district sufficient to meet the needs of the schools, as provided in this article.

Section 21-1103. If, in the School District of Allendale County, the current operating account has funds on hand more than sufficient to pay all current claims, the board, upon the approval of the superintendent of education, may transfer so much of such funds as it may deem proper to the note and bond account, in order that such funds may be used to pay the principal or interest which may be due on the outstanding and unpaid notes and bonds of the school district.

Section 21-1104. The board may use and expend the surplus funds of the school district in the ordinary operating account, not necessary to be used for the support of schools during any school session, for the purpose of purchasing buses, school grounds or buildings, repairing and maintaining school buildings or for any ordinary school purposes in the school district provided the majority of the members of the board shall approve such use and expenditure of such funds.

Section 21-1105. The board, with the approval of the county superintendent of education, may invest any funds, including sinking fund accounts, in United States defense bonds or any other obligations of the United States Government."

SECTION 3. Article 2, Chapter 20 of Title 21 amended—Allendale County schools—borrowing from Federal Agencies.—Article 2, Chapter 20, Title 21, Code of Laws of South Carolina, 1962, is amended to read as follows:

"ARTICLE 2.

Borrowing from Federal Agencies.

Section 21-1121. The Board of Education of Allendale County (hereinafter called the "board") may borrow from or through any agency of the United States Government, under provisions of law and regulations governing the lending of such funds, for the purpose of purchasing school buses, repairing, enlarging or constructing public school buildings in the school district and for any other purpose or project deemed by the board to be necessary to the proper conduct of the affairs of the district.

Section 21-1122. Before any funds are borrowed under the terms of this article, the Legislative Delegation from Allendale County shall first approve the purpose and the amount of the funds to be borrowed, as well as the terms under which any and all such sums are to be repaid.

Section 21-1123. To secure payment, with interest thereon, of any and all funds borrowed pursuant to the terms of this article, the full faith and credit of the School District of Allendale County is hereby irrevocably pledged, and the board, with the approval of the county legislative delegation, may pledge any special tax, income or revenue accruing to the school district to secure the payment of any such obligation, and when any such tax, income, or revenue becomes so pledged, the proceeds therefrom shall be applied to such purpose.

Section 21-1124. The funds so borrowed may be evidenced in such manner as the contracting parties may determine, by serial coupon bonds or certificates of indebtedness, bearing interest at a rate not exceeding four per cent per annum, payable annually, and maturing in such annual installments as the parties may agree to, the last of which shall mature not more than twenty years from the date of the first issue or certificate.

Section 21-1125. All funds borrowed pursuant to the provisions of this article shall be deposited with the county treasurer to the credit of the school district and expended on the warrant or direction of the board only for the specific purpose for which such funds have been borrowed.

Section 21-1126. All obligations issued under the terms of this article shall be exempt from the payment of all state, county and municipal taxes.

Section 21-1127. The provisions of this article shall be deemed to be cumulative to any authority or power heretofore conferred upon the county or school district in respect to the subject matter."

SECTION 4. Present board of trustees abolished.—The present board of trustees of the School District of Allendale County is hereby abolished.

SECTION 5. Removal from office for failure to attend meetings.—Should any member of the board fail to attend three successive meetings without a justifiable excuse which shall be approved by the majority of the remaining members of the board, he shall automatically be removed from office.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of March, 1965.

(R161, H1085) **No. 113**

An Act To Amend Section 21-999.8 Of The 1962 Code, Relating To The Advertisement Of State School Bonds, So As To Reduce The Time For The Publication Of The Notice.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 21-999.8 amended—sale of State school bonds.—Section 21-999.8 of the 1962 Code is amended by striking out the word "fifteen" on line 8 and inserting in lieu thereof the word "ten," so that when so amended the section shall read:

"Section 21-999.8. State school bonds whose proceeds are to be applied exclusively to the purchase of school bus equipment may be privately placed, if the terms and conditions of such disposition shall be approved by resolution duly adopted by the State Budget and Control Board.

All other State school bonds shall be sold by the Governor and the State Treasurer upon sealed proposals, after publication of notice of such sale one or more times at least ten days before such sale, in a newspaper of general circulation in the State and also in a financial paper published in New York City which regularly publishes notices of sale of state or municipal bonds. The bonds shall be awarded to the highest bidder at a price not less than par and accrued interest to the date of delivery, but the right shall be reserved to reject all bids and to readvertise the bonds for sale.

For the purpose of bringing about successful sales of such bonds, the Commission may do all things ordinarily and customarily done in connection with the sale of State or municipal bonds. All expenses incident to the sales of such bonds shall be paid from the proceeds of the sale of such bonds."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of March, 1965.

(R162, H1104)

No. 114

An Act To Amend Section 22-36 Of The 1962 Code, Relating To The Advertisement Of State Institution Bonds, So As To Reduce The Time For The Publication Of The Notice.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 22-36 amended—sale of State institution bonds.—Section 22-36 of the 1962 Code is amended by striking the word "fifteen" on line 8 and inserting in lieu thereof the word "ten," so that when so amended the section shall read:

"Section 22-36. State institution bonds may be privately placed if the terms and conditions of such disposition shall be approved by resolution duly adopted by the State Board and the terms of such proposal meet the financial test prescribed in the second paragraph of this section.

All other State institution bonds shall be sold by the Governor and the State Treasurer upon sealed proposals, after publication of notice of the sale one or more times at least ten days before the sale in a newspaper of general circulation in the State and also in a financial paper published in New York City which regularly publishes notices of sale of state or municipal bonds. In all calls for bids, the right shall be reserved to reject all bids and readvertise for the sale of the bonds. Upon the opening of bids the Governor and the State Treasurer shall determine the most advantageous bid, and if one hundred fifty per cent of the aggregate principal and interest requirements on (a) bonds sold in accordance with the most advantageous bid and (b) all outstanding State institution bonds issued for such State institution is within the estimate of the tuition fees to be received by the State institution or institutions for which such bonds are issued, made on the basis required by item (3) of Section 22-25, and if they shall find that one hundred fifty per cent of the aggregate principal and interest requirements, calculated in accordance with the formula prescribed by Section 22-25, does not exceed the estimate, they may award the State institution bonds on such bid, at a price not less than par and accrued interest to the date of delivery. For the purpose of bringing about a successful sale of such bonds, the State Board may do all things ordinarily and customarily done in connection with the sale of state or municipal bonds. All expenses incident to the sale of the bonds shall be paid from the proceeds of the bonds."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of March, 1965.

(R163, H1142) **No. 115**

An Act To Establish A Squirrel Bag Limit In Game Zones 3, 6 And 8, And To Provide Penalties For Violations.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Squirrel limit for Game Zones 3, 6 and 8.—The bag limit of squirrel in Game Zones 3 and 8 shall not exceed ten squirrels per day for any one person and in Game Zone 6 shall not exceed twelve squirrels per day for any one person.

SECTION 2. Penalties.—Any person violating the provisions of this act shall, upon conviction, be fined not less than twenty-five dollars nor more than one hundred dollars, or be imprisoned for not less than ten days nor more than thirty days.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of March, 1965.

(R164, H1155) **No. 116**

An Act To Authorize Temporary Borrowing By The State, Municipal Corporations, Counties, School Districts And Other Political Units Of The State, In Anticipation Of The Issuance And Delivery Of Bonds To Be Issued By The Borrower; To Prescribe The Procedure Under Which The Temporary Borrowings May Be Effected; And To Provide For The Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that not infrequently public agencies and political units of the State enter into loan agreements with agencies of the United States Government, under the terms of which the government agencies agree to make loans by purchasing bonds of the borrower for the purpose of constructing various types of facilities. As a usual matter regulations relating to such loan agreements provide that bonds shall not be offered for sale until the project for which bonds are to be issued is substantially complete, making it

necessary that the borrower obtain interim financing pending the issuance of the bonds. As a consequence temporary financing must be obtained. The General Assembly takes further note of the fact that in other instances it may become desirable for public agencies or political units having power to issue bonds to borrow in anticipation of the receipt of the proceeds of such bonds. No statute now exists in South Carolina permitting borrowing by public agencies or political units of the State in anticipation of the issuance of bonds, and to remedy this situation the General Assembly has determined to prescribe procedures and conditions under which borrowings in anticipation of the issuance of bonds may be made.

SECTION 2. Definitions.—(a) The term "bonds" shall mean general obligation bonds payable from ad valorem taxes, general obligation bonds additionally secured by any pledge of any assessments, or any pledge of revenues derived by the borrower from any revenue-producing facility, bonds payable solely from the revenues of any revenue-producing facility, and bonds payable solely from any assessments.

(b) The term "borrower" shall mean the State, any agency, department or institution of the State, any county, any incorporated city or town, any school district, any special purpose district, and all other political units now existing or hereafter created, which are appropriately authorized to borrow money and issue bonds.

(c) The term "governing body" shall mean that agency or body upon which is devolved by law the administrative and executive functions of the borrower.

(d) The term "person" shall mean any person, firm, corporation or governmental agency.

SECTION 3. Borrowing in anticipation of bond issues.—Any borrower, whenever authorized by general or special law, to issue bonds, may, pending the sale and issuance thereof, but within the limitations set forth in Section 6 of this act, borrow in anticipation of the receipt of the proceeds of bonds from any person, and evidence the debt by a note duly executed by the officers of the borrower authorized by the governing body of the borrower. The note shall be expressed to mature not later than the occasion of the delivery of the bonds; *provided,* however, the note shall contain a provision reserving to the borrower the right to anticipate the payment at any time, and the note shall be paid simultaneously with

the delivery of the bonds. The note shall bear such rate of interest as the governing body shall determine and shall recite on its face that it is issued in anticipation of the issuance of bonds and is payable, both as to principal and interest, from the proceeds thereof.

SECTION 4. Governing body to arrange for issuance of notes.—The governing body may arrange the issuance of notes authorized by this act by negotiation or may cause them to be advertised and bids therefor received, under such conditions as the governing body shall prescribe.

SECTION 5. Bond election to be held prior to issuance of notes.—Whenever the favorable result of an election is prescribed by the Constitution or applicable statute as a condition precedent to the issuance of bonds by the borrower, then prior to the issuance of any notes pursuant to this act, the election shall have been held and shall have resulted favorably to the issuance of such bonds.

SECTION 6. Bonds to be obligated prior to issuance of notes.—Prior to the issuance of notes pursuant to this act, the governing body of the borrower shall adopt a resolution obligating the borrower to issue and sell, in the manner prescribed by law, bonds of the borrower in a specified amount, and notes of the borrower may be issued pursuant to this act to the extent of not exceeding seventy-five per cent of the amount of bonds so specified.

Provided, however, if any consent or approval shall be necessary prior to the issuance of bonds by the borrower, the borrower must obtain the same consent or approval prior to the issuance of temporary financing as provided herein.

SECTION 7. Purposes.—Whenever any borrower shall be authorized to issue bonds for any specific purpose, the purpose shall be deemed to include the moneys required to meet the payment of the principal and interest of notes issued pursuant to this act.

SECTION 8. Proceeds.—It shall be the duty of the governing body to apply the proceeds of any notes issued pursuant to this act to the purpose for which bonds are to be issued, but no purchaser of any notes shall be liable for the proper application of the proceeds.

SECTION 9. Exempt from taxes.—All notes issued pursuant to this act and all interest to accrue thereon shall have the tax exempt

status prescribed by Section 65-4.1, Code of Laws of South Carolina, 1962.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of March, 1965.

(R165, H1287) **No. 117**

An Act To Amend Section 15-1766, Code Of Laws Of South Carolina, 1962, Relating To The Destruction Of Old Chattel Mortgages In York County, So As To Change The Time After Which They May Be Destroyed.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 15-1766 amended—York County may destroy certain old records.—Section 15-1766, Code of Laws of South Carolina, 1962, is amended by striking the words "twenty-one" on the last line of the section and inserting in lieu thereof the word "ten". The Section, when amended, shall read as follows:

"Section 15-1766. The clerk of court and register of mesne conveyances of York County may destroy, from time to time, the records in his office relating to the indexing and recordation of mortgages wherein the property mortgaged consists solely of personal property, such mortgages being commonly known as chattel mortgages, when they shall have been of record in his office for a period of ten years or more."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of March, 1965.

(R166, H1293) **No. 118**

An Act To Create The Office Of Civil Defense For Lexington County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Office of civil defense for Lexington County created.—There is hereby created an office for civil defense for Lexington County which shall have the responsibility of establishing an emergency preparedness plan for natural disasters and national emergencies and to insure preparedness of the county to adequately deal with such disasters and provide for the common defense and protection of public peace, health and safety of lives and property of the county.

SECTION 2. Director.—The legislative delegation shall select a county director, whose term shall be for four years or until his successor is appointed and qualifies, who is authorized to employ such additional personnel as needed to carry out the responsibilities of this office within the funds appropriated. The director shall be directly responsible to the county legislative delegation and shall furnish them a quarterly report of the activities and progress of the civil defense program in Lexington County.

SECTION 3. County officials and employees to cooperate—immunities.—All officials and employees of Lexington County shall cooperate and assist in carrying out the responsibilities of the established civil defense plan for Lexington County. Any person serving in a volunteer capacity in a civil defense emergency shall have the same immunities as employees or officials of Lexington County while performing similar duties during times of emergency.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of March, 1965.

(R167, H1116) **No. 119**

An Act Making It Unlawful To Start Fires In Forestry District No. 36 Except Under Certain Conditions And Providing Penalties For Violations.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Unlawful to start certain fires in Forestry District 36.—It shall be unlawful for any owner or lessee of land or any employee of any such owner or lessee or other person to

start, or cause to be started, any fire in any woodlands, brushlands, grasslands, ditchbanks, or hedgerows or in any debris, leaves or other flammable material adjacent thereto in Forestry District No. 36, except under the following conditions:

(a) Proper notification shall be given to the State Forester, or his duly authorized representative or other persons designated by the State Forester. The notice shall contain all information required by the State Forester or his representative.

(b) Such persons shall have cleared around the area and have immediately available sufficient equipment and personnel to adequately secure the fire and prevent its spread.

(c) The person starting the burning shall supervise carefully any such fire and have it under control prior to leaving the area.

SECTION 2. Permission of landowner required.—A lessee of any land, or any employee of any landowner or lessee of land, or other person, must receive prior authorization from the landowner to conduct such burning, in addition to complying with the other provisions of this act.

SECTION 3. Exceptions.—The provisions of this act shall not apply to fires which may be started within the corporate limits of any municipality, nor to fires started on rights of way of railroads by their duly authorized employees to remove fire hazards unless the State Forester, or his representative, after investigation shall notify such railroad that its practices are disapproved on account of the failure to exercise such safeguards against the spread of fire.

SECTION 4. No burning during emergencies.—No burning shall be carried out during any period which the Governor has declared that an emergency exists in connection with forest fires.

SECTION 5. State Forester may prohibit starting of fires.—The State Forester may direct at any time, when deemed necessary in the interest of public safety, that fire or fires covered by this act not be started.

SECTION 6. Penalties.—Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not less than ten dollars nor more than one hundred dollars or be imprisoned for not less than ten days nor more than thirty days. For any second or subsequent offense, a fine of not less than twenty-five dollars nor more than five hundred dollars

or imprisonment for not more than one year may be imposed in the discretion of the court.

SECTION 7. Time effective.—This act shall take effect upon its approval by the Governor.

Approved the 13th day of March, 1965.

(R168, H1141) **No. 120**

An Act To Amend Section 28-359, Code Of Laws Of South Carolina, 1962, Relating To Closed Season For Hunting During Abnormal Conditions, So As To Further Designate Places Where Seasons May Be Closed Under Such Conditions And To Provide Penalties For Violations.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 28-359 amended—closed season during abnormal conditions.—Section 28-359, Code of Laws of South Carolina, 1962, is amended by striking it out in its entirety and inserting in lieu thereof the following:

"Section 28-359. The Director of the Division of Game may, within his discretion, declare a closed season for a period of not over ten days at any one time in any area in the State when it shall appear to him on account of abnormal conditions that deer or other game cannot protect themselves. The director shall give notice of the closed season so declared by publication in at least two daily newspapers and in a newspaper of the county or counties in which the closed season is declared if such county or counties has or have a newspaper therein, stating the length or period of such closed season. Any person found hunting with firearms, bows and arrows or other game taking devices or dog within the restricted territory during a closed season so declared, shall be prima facie guilty of a violation of the provisions of this section, regardless of whether he has or has not killed or taken any game. The penalty for a violation of the provisions of this section shall be a fine of not less than fifty dollars nor more than one hundred dollars or imprisonment for not less than thirty days."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of March, 1965.

(R169, H1143) **No. 121**

An Act To Amend Section 28-4, Code Of Laws Of South Carolina, 1962, As Amended, Relating To Classification Of Birds, Animals And Fish, So As To Classify Bears As Game Animals; To Amend Section 28-462, Code Of Laws Of South Carolina, 1962, Relating To The Killing Of Bears, So As To Make It Unlawful To Kill Bears Except In Open Season And To Provide A Penalty.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 28-4 amended—classification of birds, animals and fish.—Section 28-4, Code of Laws of South Carolina, 1962, as amended, is further amended by inserting, "bears" after the word "alligators" on line two of item (4) so that, when so amended, the section shall read: "Section 28-4. For the purpose of this Title the following classifications shall be recognized:

(1) Domestic game birds.—Blackbirds, doves, partridge (quail), ruffed grouse and wild turkeys;

(2) Destructive birds.—Eagles, buzzards, crows, Cooper's hawks, duck hawks, English sparrows, great horned owls, jaybirds, loggerheads, sharpshinned hawks and English starlings;

(3) Nongame birds.—All domestic birds not named in items (1) and (2) of this section are nongame birds and shall not be destroyed in any manner at any time;

(4) Game animals.—Deer, fox, mink, muskrats, opossums, otter, rabbits, raccoons, skunks, alligators, bears and squirrels; and

(5) Game fish.—Jackfish or pickerel, pike, black bass or pond trout, striped bass or rockfish, warmouth, red-belly bream, copper-faced or bald-faced bream, yellow-belly perch, sun perch, redfin trout, flyer, crappie, rock bass, goggle eye, white bass and white perch."

SECTION 2. Section 28-462 amended—bear season.—Section 28-462, Code of Laws of South Carolina, 1962, is amended by striking it in its entirety and inserting in lieu thereof the following:

"Section 28-462. It shall be unlawful to kill any bear except during open season which may be declared from time to time as conditions warrant by the Director of Game. Permits may be issued for the killing of nuisance bears by the Director of Game or as provided by law. There shall be no charge for the issuance of such permits.

Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than fifty dollars nor more than one hundred dollars, or be imprisoned for not less than ten days nor more than thirty days."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of March, 1965.

(R170, H1229)

No. 122

An Act Declaring Port Royal Plantation On Hilton Head Island In Beaufort County As A Bird Sanctuary.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Port Royal Plantation to be bird sanctuary.—Port Royal Plantation on Hilton Head Island in Beaufort County is declared to be a bird sanctuary. It shall be unlawful for anyone to kill or maim any bird within such sanctuary. Anyone violating the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be fined in an amount not to exceed one hundred dollars or imprisoned for a period not to exceed thirty days.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of March, 1965.

(R171, H1264) **No. 123**

An Act To Create The Lexington County Economic Opportunity Commission And To Prescribe Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Lexington County Economic Opportunity Commission created.—There is hereby created the Lexington County Economic Opportunity Commission.

SECTION 2. To be corporate body.—The commission is hereby declared to be a body politic and corporate and shall exercise and enjoy all the rights and privileges of such.

SECTION 3. Members and compensation.—The commission shall be composed of seven members who shall be appointed by the Governor upon the recommendation of a majority of the legislative delegation, including the senator. The members of the commission shall serve without compensation.

SECTION 4. Terms and vacancies.—The terms of office of the members of the commission shall be for two years or until their successors are appointed and qualify. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor. Of the initial appointees, three shall serve for one year.

SECTION 5. Officers.—Immediately upon the appointment of the commission, it shall organize by electing one of its members as chairman, a second as vice-chairman and a third as secretary and treasurer. The commission shall file a record of its members in the office of the Clerk of Court for Lexington County.

SECTION 6. Powers and duties.—The commission shall be responsible for the improvement of communication and cooperation among existing and future programs and the administration of one or more new programs designed to improve the health, education, welfare, housing or employment of the residents of Lexington County. To this end the commission shall be empowered as follows:

(a) To sue and be sued;

(b) to adopt, use and alter a corporate seal;

(c) to make bylaws for the management and regulation of its affairs;

(d) to appoint agents, employees and servants, to prescribe their duties, to fix their compensation, to determine if and to what extent they shall be bonded for the faithful performance of their duties;

(e) to undertake the improvement of communication and cooperation among existing and future programs administered by federal, state, county and municipal governmental agencies and private nonprofit organizations designed to improve the health, education, welfare, housing or employment of the county residents and, with the consent of such agencies and organizations, to coordinate same;

(f) to enter into contracts and agreements for performance of its programs and duties with federal, state, county and municipal governmental agencies and subdivisions thereof, and private nonprofit organizations;

(g) to accept and receive funds for the performance of its duties in the administration of its programs from such governmental agencies and subdivisions thereof and private nonprofit organizations, as well as any other sources;

(h) to designate an executive committee from among the members of the commission to which may be delegated one or more duties and responsibilities of the commission and, from time to time, to appoint one or more subcommittees composed of residents of Lexington County to advise and assist in the administration of its program and the performance of its duties;

(i) to maintain adequate accounts and records of its activities, receipts and expenses in conformance with requirements of any contract or agreement with any federal, state, county or municipal governmental agency, or subdivision thereof, or any private nonprofit organization; and

(j) to acquire, own or hold in trust, preserve, restore, maintain or lease property, facilities and equipment reasonably necessary for the performance of its duties and the administration of its programs.

SECTION 7. Exempt from taxes.—All property of the commission shall be exempt from all ad valorem taxes levied by Lexington County or any municipality therein, or any division, subdivision or agency thereof, directly or indirectly.

SECTION 8. Fiscal year and audit.—The commission shall conduct its affairs on the fiscal year basis employed by Lexington County. As shortly after the close of its fiscal year as may be practicable,

an audit of its affairs shall be made by a certified public accountant in good standing, to be designated by the commission. Copies of such audit, incorporated into an annual report of the commission, shall be filed with the Lexington County Legislative Delegation.

SECTION 9. Contracts not to be impaired.—The right to alter, amend or rescind this act is hereby expressly reserved and disclosed, but no such amendment or repeal shall operate to impair the operation of any contract otherwise made by the authority pursuant to any power conferred by this act.

SECTION 10. When action may be taken.—Any action required of the commission may be taken at any regular or special meeting, and at such meeting a majority of the members shall constitute a quorum.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of March, 1965.

(R175, H1320)

No. 124

An Act To Create The Dorchester County Economic Opportunity Commission And To Prescribe Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Dorchester County Economic Opportunity Commission created.—There is hereby created the Dorchester County Economic Opportunity Commission.

SECTION 2. To be corporate body.—The commission is hereby declared to be a body politic and corporate and shall exercise and enjoy all the rights and privileges of such.

SECTION 3. Members and compensation.—The commission shall be composed of five members who shall be appointed by the Governor upon the recommendation of the legislative delegation. The members of the commission shall serve without compensation.

SECTION 4. Terms and vacancies.—The terms of office of the members of the commission shall be for two years or until their suc-

cessors are appointed and qualify. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor. Of the initial appointees, three shall serve for one year.

SECTION 5. Officers.—Immediately upon the appointment of the commission, it shall organize by electing one of its members as chairman, a second as vice chairman and a third as secretary and treasurer. The commission shall file a record of its members in the office of the Clerk of Court for Dorchester County.

SECTION 6. Powers and duties.—The commission shall be responsible for the improvement of communication and cooperation among existing and future programs and the administration of one or more new programs designed to improve the health, education, welfare, housing or employment of the residents of Dorchester County. To this end the commission shall be empowered as follows:

(a) to sue and be sued;

(b) to adopt, use and alter a corporate seal;

(c) to make bylaws for the management and regulation of its affairs;

(d) to appoint agents, employees and servants, to prescribe their duties, to fix their compensation, to determine if and to what extent they shall be bonded for the faithful performance of their duties;

(e) to undertake the improvement of communication and cooperation among existing and future programs administered by federal, state, county and municipal governmental agencies and private nonprofit organizations designed to improve the health, education, welfare, housing or employment of the county residents and, with the consent of such agencies and organizations, to coordinate same;

(f) to enter into contracts and agreements for performance of its programs and duties with federal, state, county and municipal governmental agencies and subdivisions thereof, and private nonprofit organizations;

(g) to accept and receive funds for the performance of its duties in the administration of its programs from such governmental agencies and subdivisions thereof and private nonprofit organizations, as well as any other sources;

(h) to designate an executive committee from among the members of the commission to which may be delegated one or more duties and

responsibilities of the commission and, from time to time, to appoint one or more subcommittees composed of residents of Dorchester County to advise and assist in the administration of its program and the performance of its duties;

(i) to maintain adequate accounts and records of its activities, receipts and expenses in conformance with requirements of any contract or agreement with any federal, state, county or municipal governmental agency, or subdivision thereof, or any private nonprofit organization; and

(j) to acquire, own or hold in trust, preserve, restore, maintain or lease property, facilities and equipment reasonably necessary for the performance of its duties and the administration of its programs.

SECTION 7. Exempt from taxes.—All property of the commission shall be exempt from all ad valorem taxes levied by Dorchester County or any municipality therein, or any division, subdivision or agency thereof, directly or indirectly.

SECTION 8. Fiscal year and audit.—The commission shall conduct its affairs on the fiscal year basis employed by Dorchester County. As shortly after the close of its fiscal year as may be practicable, an audit of its affairs shall be made by a certified public accountant in good standing, to be designated by the commission. Copies of such audit, incorporated into an annual report of the commission, shall be filed with the Dorchester County Legislative Delegation.

SECTION 9. Contracts not to be impaired.—The right to alter, amend or rescind this act is hereby expressly reserved and disclosed, but no such amendment or repeal shall operate to impair the operation of any contract otherwise made by the authority pursuant to any power conferred by this act.

SECTION 10. When action may be taken.—Any action required of the commission may be taken at any regular or special meeting, and at such meeting a majority of the members shall constitute a quorum.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of March, 1965.

(R176, H1321)

No. 125

An Act To Create The Union County Economic Opportunity Commission And To Prescribe Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Union County Economic Opportunity Commission created.—There is hereby created the Union County Economic Opportunity Commission.

SECTION 2. To be corporate body.—The commission is hereby declared to be a body politic and corporate and shall exercise and enjoy all the rights and privileges of such.

SECTION 3. Members and compensation.—The commission shall be composed of seven members who shall be appointed by the Governor upon the recommendation of the legislative delegation. The members of the commission shall serve without compensation.

SECTION 4. Terms and vacancies.—The terms of office of the members of the commission shall be for two years or until their successors are appointed and qualify, except that of those first appointed three shall be for one year and four shall be for two years. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor.

SECTION 5. Officers.—Immediately upon the appointment of the commission, it shall organize by electing one of its members as chairman, a second as vice chairman and a third as secretary and treasurer. The commission shall file a record of its members in the office of the Clerk of Court for Union County.

SECTION 6. Powers and duties.—The commission shall be responsible for the improvement of communication and cooperation among existing and future programs and the administration of one or more new programs designed to improve the health, education, welfare, housing or employment of the residents of Union County. To this end the commission shall be empowered as follows:

(a) To sue and be sued;

(b) To adopt, use and alter a corporate seal;

(c) To make bylaws for the management and regulation of its affairs;

(d) To appoint agents, employees and servants, to prescribe their duties, to fix their compensation, to determine if and to what extent they shall be bonded for the faithful performance of their duties;

(e) To undertake the improvement of communication and cooperation among existing and future programs administered by federal, state, county and municipal governmental agencies and private nonprofit organizations designed to improve the health, education, welfare, housing or employment of the county residents and, with the consent of such agencies and organizations, to coordinate same;

(f) To enter into contracts and agreements for performance of its programs and duties with federal, state, county and municipal governmental agencies and subdivisions thereof and private nonprofit organizations;

(g) To accept and receive funds for the performance of its duties in the administration of its programs from such governmental agencies and subdivisions thereof and private nonprofit organizations, as well as any other sources;

(h) To designate an executive committee from among the members of the commission to which may be delegated one or more duties and responsibilities of the commission and, from time to time, to appoint one or more subcommittees composed of residents of Union County to advise and assist in the administration of its program and the performance of its duties;

(i) To maintain adequate accounts and records of its activities, receipts and expenses in conformance with requirements of any contract or agreement with any federal, state, county or municipal governmental agency, or subdivision thereof, or any private nonprofit organization; and

(j) To acquire, own or hold in trust, preserve, restore, maintain or lease property, facilities and equipment reasonably necessary for the performance of its duties and the administration of its programs.

SECTION 7. Exempt from taxes.—All property of the commission shall be exempt from all ad valorem taxes levied by Union County or any municipality therein, or any division, subdivision or agency thereof, directly or indirectly.

SECTION 8. Fiscal year and audit.—The commission shall conduct its affairs on the fiscal year basis employed by Union County. As shortly after the close of its fiscal year as may be practicable, an

audit of its affairs shall be made by a certified public accountant in good standing, to be designated by the commission. Copies of such audit, incorporated into an annual report of the commission, shall be filed with the Union County Legislative Delegation.

SECTION 9. Contracts not to be impaired.—The right to alter, amend or rescind this act is hereby expressly reserved and disclosed, but no such amendment or repeal shall operate to impair the operation of any contract otherwise made by the authority pursuant to any power conferred by this act.

SECTION 10. When action may be taken.—Any action required of the commission may be taken at any regular or special meeting, and at such meeting a majority of the members shall constitute a quorum.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of March, 1965.

(R178, H1325) **No. 126**

An Act To Authorize The Destruction Of Certain Old Records Of Richland County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Richland County may destroy certain old records.—Any office, agency or department of Richland County may destroy tax records over ten years old and other records over six years old, after application of the custodian of its records to the county board of administrators and approved by the board; *provided,* that such records shall not be destroyed without first being offered to the State Archives Department for preservation, in the event they are of historical value.

SECTION 2. Exceptions.—The provisions of this act shall not apply to the office of the clerk of court or any other judicial offices of the county.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of March, 1965.

(R179, H1331)

No. 127

An Act To Create The Aiken County Economic Opportunity Commission And To Prescribe Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Aiken County Economic Opportunity Commission created.—There is hereby created the Aiken County Economic Opportunity Commission.

SECTION 2. To be corporate body.—The commission is hereby declared to be a body politic and corporate and shall exercise and enjoy all the rights and privileges of such.

SECTION 3. Members.—The commission shall be composed of fourteen members who shall be appointed by the Governor upon the recommendation of the legislative delegation, including the senator. The members of the commission shall serve without compensation.

SECTION 4. Terms and vacancies.—The terms of office of the members of the commission shall be for two years and until their successors are appointed and qualify. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor.

SECTION 5. Officers.—Immediately upon the appointment of the commission, it shall organize by electing one of its members as chairman, a second as vice chairman and a third as secretary and treasurer. The commission shall file a record of its members in the office of the Clerk of Court for Aiken County.

SECTION 6. Powers and duties.—The commission shall be responsible for the improvement of communication and cooperation among existing and future programs and the administration of one or more new programs designed to improve the health, education, welfare, housing or employment of the residents of Aiken County. To this end the commission shall be empowered as follows:

(a) to sue and be sued;

(b) to adopt, use and alter a corporate seal;

(c) to make bylaws for the management and regulation of its affairs;

(d) to appoint agents, employees and servants, to prescribe their duties, to fix their compensation, to determine if and to what extent they shall be bonded for the faithful performance of their duties;

(e) to undertake the improvement of communication and cooperation among existing and future programs administered by federal, state, county and municipal governmental agencies and private nonprofit organizations designed to improve the health, education, welfare, housing or employment of the county residents and, with the consent of such agencies and organizations, to coordinate same;

(f) to enter into contracts and agreements for performance of its programs and duties with federal, state, county and municipal governmental agencies and subdivisions thereof, and private nonprofit organizations;

(g) to accept and receive funds for the performance of its duties in the administration of its program from such governmental agencies and subdivisions thereof and private nonprofit organizations, as well as any other sources;

(h) to designate an executive committee from among the members of the commission to which may be delegated one or more duties and responsibilities of the commission and, from time to time, to appoint one or more subcommittees composed of residents of Aiken County to advise and assist in the administration of its program and the performance of its duties;

(i) to maintain adequate accounts and records of its activities, receipts and expenses in conformance with requirements of any contract or agreement with any federal, state, county or municipal governmental agency, or subdivision thereof, or any private nonprofit organization; and

(j) to acquire, own or hold in trust, preserve, restore, maintain or lease property, facilities and equipment reasonably necessary for the performance of its duties and the administration of its programs.

SECTION 7. Exempt from taxes.—All property of the commission shall be exempt from all ad valorem taxes levied by Aiken County or any municipality therein, or any division, subdivision or agency thereof, directly or indirectly.

SECTION 8. Fiscal year and audit.—The commission shall conduct its affairs on the fiscal year basis employed by Aiken County.

As shortly after the close of its fiscal year as may be practicable, an audit of its affairs shall be made by a certified public accountant in good standing, to be designated by the commission. Copies of such audit, incorporated into an annual report of the commission, shall be filed with the Aiken County Legislative Delegation.

SECTION 9. Contracts not to be impaired.—The right to alter, amend or rescind this act is hereby expressly reserved and disclosed, but no such amendment or repeal shall operate to impair the operation of any contract otherwise made by the authority pursuant to any power conferred by this act.

SECTION 10. When action may be taken.—Any action required of the commission may be taken at any regular or special meeting, and at such meeting a majority of the members shall constitute a quorum.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of March, 1965.

(R181, H1339)

No. 128

An Act To Create The Marion County Economic Opportunity Commission And To Prescribe Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Marion County Economic Opportunity Commission created.—There is hereby created the Marion County Economic Opportunity Commission.

SECTION 2. To be corporate body.—The commission is hereby declared to be a body politic and corporate and shall exercise and enjoy all the rights and privileges of such.

SECTION 3. Members and compensation.—The commission shall be composed of twelve members who shall be appointed by the Governor upon the recommendation of the legislative delegation.

SECTION 4. Terms and vacancies.—The terms of office of the members of the commission shall be for two years or until their suc-

cessors are appointed and qualify. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor. Of the initial appointees, six shall serve for one year.

SECTION 5. Officers.—Immediately upon the appointment of the commission, it shall organize by electing one of its members as chairman, a second as vice chairman and a third as secretary and treasurer. The commission shall file a record of its members in the office of the Clerk of Court for Marion County.

SECTION 6. Powers and duties.—The commission shall be responsible for the improvement of communication and cooperation among existing and future programs and the administration of one or more new programs designed to improve the health, education, welfare, housing or employment of the residents of Marion County. To this end the commission shall be empowered as follows:

(a) to sue and be sued;

(b) to adopt, use and alter a corporate seal;

(c) to make bylaws for the management and regulation of its affairs;

(d) to appoint agents, employees and servants, to prescribe their duties, to fix their compensation, to determine if and to what extent they shall be bonded for the faithful performance of their duties;

(e) to undertake the improvement of communication and cooperation among existing and future programs administered by federal, state, county and municipal governmental agencies and private nonprofit organizations designed to improve the health, education, welfare, housing or employment of the county residents and, with the consent of such agencies and organizations, to coordinate same;

(f) to enter into contracts and agreements for performance of its programs and duties with federal, state, county and municipal governmental agencies and subdivisions thereof, and private nonprofit organizations;

(g) to accept and receive funds for the performance of its duties in the administration of its programs from such governmental agencies and subdivisions thereof and private nonprofit organizations, as well as any other sources;

(h) to designate an executive committee from among the members of the commission to which may be delegated one or more duties

and responsibilities of the commission and, from time to time, to appoint one or more subcommittees composed of residents of Marion County to advise and assist in the administration of its program and the performance of its duties;

(i) to maintain adequate accounts and records of its activities, receipts and expenses in conformance with requirements of any contract or agreement with any federal, state, county or municipal governmental agency, or subdivision thereof, or any private nonprofit organization; and

(j) to acquire, own or hold in trust, preserve, restore, maintain or lease property, facilities and equipment reasonably necessary for the performance of its duties and the administration of its programs.

SECTION 7. Exempt from taxes.—All property of the commission shall be exempt from all ad valorem taxes levied by Marion County or any municipality therein, or any division, subdivision or agency thereof, directly or indirectly.

SECTION 8. Fiscal year and audit.—The commission shall conduct its affairs on the fiscal year basis employed by Marion County. As shortly after the close of its fiscal year as may be practicable an audit of its affairs shall be made by an accountant, to be designated by the commission. Copies of such audit, incorporated into an annual report of the commission, shall be filed with the Marion County Legislative Delegation.

SECTION 9. Contracts not to be impaired.—The right to alter, amend or rescind this act is hereby expressly reserved and disclosed, but no such amendment or repeal shall operate to impair the operation of any contract otherwise made by the authority pursuant to any power conferred by this act.

SECTION 10.—When action may be taken.—Any action required of the commission may be taken at any regular or special meeting, and at such meeting a majority of the members shall constitute a quorum.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of March, 1965.

(R183, S51) **No. 129**

An Act To Provide For A Referendum As To The Creation Of The Chester County Police Department And The Abolition Of The Chester County Police System And, In The Event Of A Favorable Vote, To Provide For The Creation Of The Chester County Police Department; To Provide Deputies For Industrial Corporations; And To Repeal Sections 53-411 Through 53-428, Code Of Laws Of South Carolina, 1962, Relating To The Chester County Police System.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Referendum concerning law enforcement in Chester County.—The Chester County Commissioners of Election shall conduct a referendum in Chester County on April 6, 1965, between the hours of 8 A. M. and 6 P. M., to ascertain the wishes of the qualified electors on the question of whether they favor the establishment of the Chester County Police Department and the abolition of the Chester County Police System. The Commissioners shall publish the information relating to the referendum once a week for two consecutive weeks in a newspaper having general circulation in the county. They shall have printed and distributed a sufficient number of ballots at each voting place. The ballots shall read as follows: "Do you favor establishing the Chester County Police Department and abolishing the Chester County Police System whereby all law enforcement within the county shall be under the Sheriff?

In favor of ☐
Opposed to ☐

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the words 'In favor of' and those voting against the question shall deposit a ballot with a check or cross mark in the square after the words 'Opposed to'."

The officials responsible for canvassing the results of the election shall, within ten days, certify such results to the clerk of court for the county, the Code Commissioner and the Secretary of State.

SECTION 2. Chester County Police Department created if election favorable.—If a majority of those voting in the election vote in favor of the proposal, there is hereby created the Chester County Police Department, whose duties shall be to enforce the laws of the State throughout the county, including incorporated towns and cities.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of March, 1965.

(R184, S12) **No. 130**

An Act To Create The Horry County Historic Preservation Commission, And To Preserve Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Horry County Historic Preservation Commission created.—There is hereby created and established the Horry County Historic Preservation Commission, hereafter called the commission.

SECTION 2. To be corporate body.—The commission is declared to be a body politic and corporate and shall exercise and enjoy all the rights and privileges of such.

SECTION 3. Appointments — terms — officers — compensation.—The commission shall be composed of twelve resident electors of the county, one from each magisterial district and four at large, to be appointed by the Governor upon the recommendation of a majority of the Horry County Legislative Delegation, including the Senator. The members shall serve for terms of five years and until their successors are appointed and qualify, except that the first appointments shall be as follows: two for five years, two for four years, two for three years, three for two years, and three for one year. The duration of their respective terms shall be determined by lot.

Immediately upon the appointment of the commission, it shall organize by electing one of its number as chairman, a second as vice-chairman, a third as secretary, and a fourth as treasurer. The officers of the commission shall hold office for terms of one year and until their successors shall be chosen and qualify; *provided,* officers may succeed themselves. It shall be the duty of the commission to see that a record of the appointees to the commission shall be filed in the office of the Clerk of Court of Horry County, so as to indicate the persons holding office and the duration of their respective terms. No member of the commission shall receive any compensation for

his services as a member. Membership on the commission shall not be construed to be an office of honor or profit.

SECTION 4. Powers and duties.—The commission shall be empowered as follows:

(1) To sue and be sued.

(2) To adopt, use and alter a corporate seal.

(3) To contract with others in furtherance of its purposes and to charge admission fees to its facilities.

(4) To make bylaws for the management and regulation of its affairs.

(5) To acquire, own, hold in trust, preserve, restore, maintain, suitably mark, develop, advertise, and operate buildings and structures of historic significance, and the land upon which the same may be situate, in Horry County, and to receive funds, grants, donations and appropriations for the accomplishment of these purposes.

(6) To prescribe rules and regulations governing the use of the facilities.

(7) To appoint agents, employees and servants, to prescribe their duties, to fix their compensation, to determine if and to what extent they shall be bonded for the faithful performance of their duties.

(8) To authorize and create advisory committees and special memberships and societies in furtherance of its purposes.

SECTION 5. Exempt from taxes.—All property of the commission shall be exempt from all ad valorem taxes levied by the State, county or any municipality, division or agency, direct or indirect.

SECTION 6. Fiscal year, audit and report.—The commission shall conduct its affairs on the fiscal year basis employed by Horry County. As shortly after the close of its fiscal year as may be practicable an audit of its affairs shall be made by a certified public accountant of good standing, to be designated by the commission. Copies of the audit, incorporated into an annual report of the commission, shall be filed with the Senator from Horry County, the secretary of the House Delegation from Horry County and in the office of the clerk of court for the county.

SECTION 7. May borrow money.—The commission shall have power and authority to borrow money and to mortgage or pledge its real and personal property; *provided,* that it shall not have the power

to assume any obligation or incur any indebtedness binding upon the State of South Carolina or Horry County.

SECTION 8. When action may be taken.—Any action required of the commission may be taken at any meeting of the commission, regular or special, and at such meeting a majority of the members shall constitute a quorum for the purpose of transacting the business.

SECTION 9. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of March, 1965.

(R185, S20)

No. 131

An Act To Authorize The Recovery In Certain Cases Of Civil Damages Due To The Malicious Or Intentional Destruction, Damage Or Stealing Of Property By Certain Minors.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Parents responsible for certain acts of their children.—When any unmarried minor under the age of seventeen years and living with his parent shall maliciously and intentionally destroy, damage or steal property, real, personal or mixed, the owner of such property shall be entitled to recover from such parent of such minor actual damages in a civil action in a court of competent jurisdiction in an amount not exceeding one thousand dollars; *provided,* however, that nothing herein contained shall in any way limit the application of the Family Purpose Doctrine.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of March, 1965.

(R186, S29)

No. 132

An Act To Amend Section 23-319 Of The 1962 Code, Relating To Placement Of Constitutional Amendments On Ballots, So As

To Provide That Those Of A Statewide Nature And Those Of A Local Nature Shall Be Printed On Separate Ballots.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 23-319 amended—printing of proposed statewide and local constitutional amendments.—Section 23-319 of the 1962 Code is amended by striking the section in its entirety and inserting in lieu thereof the following:

"Section 23-319. Whenever at any general election proposed amendments to the Constitution of both statewide and local natures are submitted to the qualified electors of the State, the State officer charged with the duty of preparing the ballots shall arrange and classify the proposed amendments on such ballots as follows:

"At the top of one ballot shall be printed the words 'Statewide Constitutional Amendments.' Under this heading there shall be placed the various proposed amendments of a statewide nature. At the top of a separate ballot shall be printed the words 'Local Constitutional Amendments.' Under this heading there shall be printed in alphabetical order the names of the various counties of the State affected by any proposed local amendment and under the name of each county the particular amendment affecting such county, or any particular subdivision thereof, or municipality situated therein, but when any proposed amendment relates to two or more counties such proposed amendment shall be listed under a joint heading combined of the names of such counties. The heading shall be printed in larger type than that used in printing the proposed amendment.

"Ballots for the Statewide Constitutional Amendments shall be printed on white paper and ballots for the Local Constitutional Amendments shall be printed on a paper other than white."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of March, 1965.

(R187, S86) **No. 133**

An Act To Amend Section 28-882, Code of Laws Of South Carolina, 1962, Relating To Shad Fishing, So As To Change The Days Fishing Shall Be Permitted In The Edisto River.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Item (2) of Section 28-882 amended—shad season on Edisto River.—Item (2) of Section 28-882, Code of Laws of South Carolina, 1962, is amended by striking on line two of the item the word "Wednesday" and inserting the word "Tuesday". The item when amended shall read as follows:

"(2) Twelve o'clock noon on Saturday until twelve o'clock noon on the Tuesday following on the Edisto River except with skimbow nets for noncommercial purposes."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of March, 1965.

(R188, S109)

No. 134

An Act To Create The Cherokee County Economic Opportunity Commission And To Prescribe Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Cherokee County Economic Opportunity Commission created.—There is hereby created the Cherokee County Economic Opportunity Commission.

SECTION 2. To be corporate body.—The commission is hereby declared to be a body politic and corporate and shall exercise and enjoy all the rights and privileges of such.

SECTION 3. Members and compensation.—The commission shall be composed of five members who shall be appointed by the Governor upon the recommendation of the legislative delegation.

SECTION 4. Terms and vacancies.—The terms of office of the members of the commission shall be for two years or until their successors are appointed and qualify. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor. Of the initial appointees, two shall serve for one year.

SECTION 5. Officers.—Immediately upon the appointment of the commission, it shall organize by electing one of its members as

chairman, a second as vice chairman and a third as secretary and treasurer. The commission shall file a record of its members in the office of the Clerk of Court for Cherokee County.

SECTION 6. Powers and duties.—The commission shall be responsible for the improvement of communication and cooperation among existing and future programs and the administration of one or more new programs designed to improve the health, education, welfare, housing or employment of the residents of Cherokee County. To this end the commission shall be empowered as follows:

(a) to sue and be sued;

(b) to adopt, use and alter a corporate seal;

(c) to make bylaws for the management and regulation of its affairs;

(d) to appoint agents, employees and servants, to prescribe their duties, to fix their compensation, to determine if and to what extent they shall be bonded for the faithful performance of their duties;

(e) to undertake the improvement of communication and cooperation among existing and future programs administered by federal, state, county and municipal governmental agencies and private nonprofit organizations designed to improve the health, education, welfare, housing or employment of the county residents and, with the consent of such agencies and organizations, to coordinate same;

(f) to enter into contracts and agreements for performance of its programs and duties with federal, state, county and municipal governmental agencies and subdivisions thereof, and private nonprofit organizations;

(g) to accept and receive funds for the performance of its duties in the administration of its programs from such governmental agencies and subdivisions thereof and private nonprofit organizations, as well as any other sources;

(h) to designate an executive committee from among the members of the commission to which may be delegated one or more duties and responsibilities of the commission and, from time to time, to appoint one or more sub-committees composed of residents of Cherokee County to advise and assist in the administration of its program and the performance of its duties;

(i) to maintain adequate accounts and records of its activities, receipts and expenses in conformance with requirements of any contract or agreement with any federal, state, county or municipal govern-

mental agency, or subdivision thereof, or any private nonprofit organization; and

(j) to acquire, own or hold in trust, preserve, restore, maintain or lease property, facilities and equipment reasonably necessary for the performance of its duties and the administration of its programs.

SECTION 7. Exempt from taxes.—All property of the commission shall be exempt from all ad valorem taxes levied by Cherokee County or any municipality therein, or any division, subdivision or agency thereof, directly or indirectly.

SECTION 8. Fiscal year and audit.—The commission shall conduct its affairs on the fiscal year basis employed by Cherokee County. As shortly after the close of its fiscal year as may be practicable an audit of its affairs shall be made by a certified public accountant in good standing, to be designated by the commission. Copies of such audit, incorporated into an annual report of the commission, shall be filed with the Cherokee County Legislative Delegation.

SECTION 9. Contracts not to be impaired.—The right to alter, amend or rescind this act is hereby expressly reserved and disclosed, but no such amendment or repeal shall operate to impair the operation of any contract otherwise made by the authority pursuant to any power conferred by this act.

SECTION 10. When action may be taken.—Any action required of the commission may be taken at any regular or special meeting, and at such meeting a majority of the members shall constitute a quorum.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of March, 1965.

(R189, S110) **No. 135**

An Act To Amend Section 15-262, Code Of Laws Of South Carolina, 1962, Relating To Terms Of Court In The First Circuit, So As To Further Provide For The Court Of Common Pleas Of Orangeburg County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Item 3 of Section 15-262 amended—terms of court for Orangeburg County.—Item (3) of Section 15-262, Code of Laws of South Carolina, 1962, is amended to read as follows:

"(3) Orangeburg county.—The court of general sessions for the county of Orangeburg shall be held at Orangeburg the first Monday in January, the first Monday in May and the second Monday in September. Each term shall be for two weeks. The court of common pleas for the county of Orangeburg shall be held at Orangeburg on the second Monday in March for three weeks, the first Monday in June for three weeks, the first Monday in October for two weeks and the fourth Monday in October for one week."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of March, 1965.

(R190, S162)

No. 136

An Act To Create The Horry County Board Of Health And The Horry County Health Department.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Horry County Board of Health created—members.—There is hereby created the Horry County Board of Health, which shall be composed of five residents of the county to be appointed by the Governor for terms of four years and until their successors are appointed and qualify. Three members shall be appointed upon the recommendation of a majority of the legislative delegation, including the senator, and two shall be appointed upon the recommendation of the Horry County Medical Society. No more than two medical doctors shall serve on the board at any one time. Any vacancy shall be filled in the manner of the original appointment for the unexpired portion of the term only.

SECTION 2. Director of County Health Department to be secretary—duties.—The director of the County Health Department shall be the secretary of the board and shall be the custodian of books, papers, records and equipment belonging to the board or that may be entrusted to it. He shall call monthly meetings of the board and shall

attend all such meetings unless otherwise ordered, and shall discharge any other duties pertaining to the office of the secretary.

SECTION 3. Horry County Health Department created.—There is hereby created the Horry County Health Department, which shall be under the control of the County Board of Health, through the direction and supervision of a medical officer, whose title shall be Director of the Horry County Health Department.

SECTION 4. Director — selection — salary — qualifications.—The director shall be selected by the board from a list of qualified doctors to be provided by the State Board of Health, and if for any reason a qualified director is not selected, the County Board of Health shall request such additional names of qualified persons as it deems proper. Then if for any reason a director is not selected, the State Board of Health shall appoint a qualified person meeting the requirements of this act. The salary of such director or such other person shall be approved by the majority of the county legislative delegation, including the senator. The director shall be a graduate of an approved medical college skilled in hygiene and sanitary science and shall be specially trained and qualified in the practice of preventive medicine. He shall devote his full time to the performance of the duties of his office.

SECTION 5. Employees.—Upon approval of the board and the majority of the county legislative delegation, including the senator, the director shall employ and fix the compensation of such additional personnel as is consistent with the needs of the county. Such employees shall hold office at the pleasure of the board and shall be subject to all the provisions of the merit system of the State Board of Health.

SECTION 6. Powers and duties of board.—The board is vested with all powers and duties imposed by law upon local boards of health in incorporated cities and towns and shall have such other powers and duties as are prescribed in this act.

SECTION 7. Duties of county health department.—The duties of the county health department shall include the control of communicable diseases by all acceptable and approved methods, maternal and child hygiene, preschool and school hygiene, sanitation, including sanitation of all food-vending establishments, hotels, dairies,

schools, rabies, rodent and mosquito control, all other duties and activities that are usually carried on by organizations of like authority and such other duties as may be prescribed by the County Board of Health and the State Board of Health. The county health personnel shall especially stress the importance of public health in the schools of the county, both as to sanitation and medical examination of school children to determine their physical condition and, when possible, to have all discovered defects corrected; but only such services shall be rendered as may be efficiently performed with the personnel employed.

SECTION 8. Collection of garbage and cleaning of streets.—The collection of garbage and cleaning of streets and vacant lots shall not be part of the duties of the county health department and this act shall not relieve any city or town from any expense which may be incurred in correcting nuisances, maintaining water supply and sewage disposal plants and other recognized and approved activities for the prevention of disease and promotion of health.

SECTION 9. Reports.—The director of the county health department shall render all necessary reports to the County Board of Health and to the State Board of Health, as may be required of him by the county board.

SECTION 10. Expenses.—The necessary expenses of the operation and maintenance of the board shall be paid from funds made available to it from agencies of the Federal Government, from the State, and from appropriations in the annual county appropriations act.

SECTION 11. Salaries of employees may be supplemented.—This act shall not be construed to prevent the salaries of any employees of the County Board of Health or of the county health department from being paid or supplemented by funds from any source other than those mentioned herein, subject to approval by the County Board of Health and the majority of the legislative delegation, including the senator.

SECTION 12. Not to affect certain commissioners or boards.—If any city or town in Horry County shall have a commission or board in charge of its water supply and sewage disposal plant, nothing in this act shall affect the rights, duties, powers, privileges and responsibilities of such commission.

SECTION 13. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of March, 1965.

(R191, S169) **No. 137**

An Act To Create The Barnwell County Economic Opportunity Commission And To Prescribe Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Barnwell County Economic Opportunity Commission created.—There is hereby created the Barnwell County Economic Opportunity Commission.

SECTION 2. To be corporate body.—The commission is hereby declared to be a body politic and corporate and shall exercise and enjoy all the rights and privileges of such.

SECTION 3. Members and compensation.—The commission shall be composed of five members who shall be appointed by the Governor upon the recommendation of the legislative delegation. The members of the commission shall serve without compensation.

SECTION 4. Terms and vacancies.—The terms of office of the members of the commission shall be for two years or until their successors are appointed and qualify. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor. Of the initial appointees, two shall serve for one year.

SECTION 5. Officers.—Immediately upon the appointment of the commission, it shall organize by electing one of its members as chairman, a second as vice chairman and a third as secretary and treasurer. The chairman shall file a record of the members in the office of the Clerk of Court for Barnwell County.

SECTION 6. Powers and duties.—The commission shall be responsible for the improvement of communication and cooperation among existing and future programs and the administration of one or more new programs designed to improve the health, education,

welfare, housing or employment of the residents of Barnwell County. To this end the commission shall be empowered as follows:

(a) to sue and be sued;

(b) to adopt, use and alter a corporate seal;

(c) to make bylaws for the management and regulation of its affairs;

(d) to appoint agents, employees and servants, to prescribe their duties, to fix their compensation, to determine if and to what extent they shall be bonded for the faithful performance of their duties;

(e) to undertake the improvement of communication and cooperation among existing and future programs administered by federal, state, county and municipal governmental agencies and private nonprofit organizations designed to improve the health, education, welfare, housing or employment of the county residents and, with the consent of such agencies and organizations, to coordinate same;

(f) to enter into contracts and agreements for performance of its programs and duties with federal, state, county and municipal governmental agencies and subdivisions thereof, and private nonprofit organizations;

(g) to accept and receive funds for the performance of its duties in the administration of its programs from such governmental agencies and subdivisions thereof and private nonprofit organizations, as well as any other sources;

(h) to designate an executive committee from among the members of the commission to which may be delegated one or more duties and responsibilities of the commission and, from time to time, to appoint one or more subcommittees composed of residents of Barnwell County to advise and assist in the administration of its program and the performance of its duties;

(i) to maintain adequate accounts and records of its activities, receipts and expenses in conformance with requirements of any contract or agreement with any federal, state, county or municipal governmental agency, or subdivision thereof, or any private nonprofit organization; and

(j) to acquire, own or hold in trust, preserve, restore, maintain or lease property, facilities and equipment reasonably necessary for the performance of its duties and the administration of its programs.

SECTION 7. Exempt from taxes.—All property of the commission shall be exempt from all ad valorem taxes levied by Barnwell

County, or any municipality therein, or any division, subdivision or agency thereof, directly or indirectly.

SECTION 8. Fiscal year and audit.—The commission shall conduct its affairs on the fiscal year basis employed by Barnwell County. As shortly after the close of its fiscal year as may be practicable an audit of its affairs shall be made by a certified public accountant in good standing, to be designated by the commission. Copies of such audit, incorporated into an annual report of the commission, shall be filed with the Barnwell County Legislative Delegation.

SECTION 9. Contracts not to be impaired.—The right to alter, amend or rescind this act is hereby expressly reserved and disclosed, but no such amendment or repeal shall operate to impair the operation of any contract otherwise made by the authority pursuant to any power conferred by this act.

SECTION 10. When action may be taken.—Any action required of the commission may be taken at any regular or special meeting, and at such meeting a majority of the members shall constitute a quorum.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of March, 1965.

(R192, S180) **No. 138**

An Act To Create The Dillon County Economic Opportunity Commission And To Prescribe Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Dillon County Economic Opportunity Commission created.—There is hereby created the Dillon County Economic Opportunity Commission.

SECTION 2. To be corporate body.—The commission is hereby declared to be a body politic and corporate and shall exercise and enjoy all the rights and privileges of such.

SECTION 3. Members and compensation.—The commission shall be composed of seven members who shall be appointed by the Gov-

ernor upon the recommendation of the legislative delegation. The members of the commission shall serve without compensation.

SECTION 4. Terms and vacancies.—The terms of office of the members of the commission shall be for two years or until their successors are appointed and qualify. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor. Of the initial appointees, three shall serve for one year.

SECTION 5. Officers.—Immediately upon the appointment of the commission, it shall organize by electing one of its members as chairman, a second as vice chairman and a third as secretary and treasurer. The commission shall file a record of its members in the office of the Clerk of Court for Dillon County.

SECTION 6. Powers and duties.—The commission shall be responsible for the improvement of communication and cooperation among existing and future programs and the administration of one or more new programs designed to improve the health, education, welfare, housing or employment of the residents of Dillon County. To this end the commission shall be empowered as follows:

(a) to adopt, use and alter a corporate seal;

(b) to make bylaws for the management and regulation of its affairs;

(c) to appoint agents, employees and servants, to prescribe their duties, to fix their compensation, to determine if and to what extent they shall be bonded for the faithful performance of their duties;

(d) to undertake the improvement of communication and cooperation among existing and future programs administered by federal, state, county and municipal governmental agencies and private nonprofit organizations designed to improve the health, education, welfare, housing or employment of the county residents and, with the consent of such agencies and organizations, to coordinate same;

(e) to enter into contracts and agreements for performance of its programs and duties with federal, state, county and municipal governmental agencies and subdivisions thereof, and private nonprofit organizations;

(f) to accept and receive funds for the performance of its duties in the administration of its programs from such governmental agencies and subdivisions thereof and private nonprofit organizations, as well as any other sources;

(g) to designate an executive committee from among the members of the commission to which may be delegated one or more duties and responsibilities of the commission and, from time to time, to appoint one or more subcommittees composed of residents of Dillon County to advise and assist in the administration of its program and the performance of its duties;

(h) to maintain adequate accounts and records of its activities, receipts and expenses in conformance with requirements of any contract or agreement with any federal, state, county or municipal governmental agency, or subdivision thereof, or any private nonprofit organization; and

(i) to acquire, own or hold in trust, preserve, restore, maintain or lease property, facilities and equipment reasonably necessary for the performance of its duties and the administration of its programs.

SECTION 7. Exempt from taxes.—All property of the commission shall be exempt from all ad valorem taxes levied by Dillon County or any municipality therein, or any division, subdivision or agency thereof, directly or indirectly.

SECTION 8. Fiscal year and audit.—The commission shall conduct its affairs on the fiscal year basis employed by Dillon County. As shortly after the close of its fiscal year as may be practicable an audit of its affairs shall be made by a certified public accountant in good standing, to be designated by the commission. Copies of such audit, incorporated into an annual report of the commission, shall be filed with the Dillon County Legislative Delegation.

SECTION 9. Contracts not to be impaired.—The right to alter, amend or rescind this act is hereby expressly reserved and disclosed, but no such amendment or repeal shall operate to impair the operation of any contract otherwise made by the authority pursuant to any power conferred by this act.

SECTION 10. When action may be taken.—Any action required of the commission may be taken at any regular or special meeting, and at such meeting a majority of the members shall constitute a quorum.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of March, 1965.

(R193, S188) **No. 139**

An Act To Amend Item (5) Of Section 15-286, Code Of Laws Of South Carolina, 1962, Relating To Terms Of Court In The Fourteenth Judicial Circuit, So As To Further Provide For Terms In Jasper County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Item (5) of Section 15-286 amended—terms of court for Jasper County.—Item (5) of Section 15-286 of the Code of 1962 is amended by striking on line three "the first Monday in July", by striking the word "said" on line nine and inserting the word "the", and by changing the period at the end of the item to a comma and adding: "and the Tuesday following the first Monday in September for the remainder of the week." When so amended, the item shall read:

"(5) The courts of general sessions for Jasper County shall be held at Ridgeland on the fourth Monday in February, the third Monday in May, and the third Monday in November, in each case for one week. The courts of common pleas for the county shall be held at Ridgeland as soon as the courts of general sessions shall have concluded, except that during the week commencing the third Monday in November there shall be no regular term of the court of common pleas. There shall also be terms of the court of common pleas for the county on the second Monday in May and the first Monday in December, in each case for one week, and the Tuesday following the first Monday in September for the remainder of the week."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of March, 1965.

(R194, S83) **No. 140**

An Act To Amend Section 38-107, Code Of Laws Of South Carolina, 1962, Relating To Service As A Juror In The County Court, So As To Provide That Such Service Shall Exempt The Juror From Service In The Circuit Court Within The Same Year.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 38-107 amended—county court jurors exempt from circuit court.—Section 38-107, Code of Laws of South Carolina, 1962, is amended by striking the word "not" on line one so that, when so amended, it shall read as follows:

"Section 38-107. **Service as a juror in** the county court shall be held to exempt the juror from service as such in the circuit court in the same year."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of March, 1965.

(R195, S92) **No. 141**

An Act To Amend The Code Of Laws Of South Carolina, 1962, By Adding Section 14-400.696, So As To Prohibit Public Utilities And Rural Electric Cooperatives From Making Connections Without Permits, And To Require Certain Reports To The Board Of Directors In Beaufort County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 14-400.696 added—electricity not to be connected without permit.—The Code of Laws of South Carolina, 1962, is amended by adding Section 14-400.696, which shall read as follows:

"Section 14-400.696. It shall be unlawful for any public utility company or rural electric cooperative to make a new connection of electrical energy to a building requiring a permit unless such permit was acquired for the construction or improvement of the building. Any company or cooperative making a connection within the county shall report the location of such connection to the county auditor on or before the tenth of the following month."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of March, 1965.

(R196, S100) **No. 142**

An Act To Create The Chesterfield County Economic Opportunity Commission And To Prescribe Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chesterfield County Economic Opportunity Commission created.—There is hereby created the Chesterfield County Economic Opportunity Commission.

SECTION 2. To be corporate body.—The commission is hereby declared to be a body politic and corporate and shall exercise and enjoy all the rights and privileges of such.

SECTION 3. Members and compensation.—The commission shall be composed of not less than fifteen members nor more than twenty-five members. One shall be the county superintendent of education, ex officio. The members shall be residents of the county and shall be appointed by the Governor upon recommendation of a majority of the county legislative delegation. The members shall serve without compensation.

SECTION 4. Terms and vacancies.—The term of office of the appointive members of the commission shall be one year or until their successors are appointed and qualify. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor.

SECTION 5. Officers.—Immediately upon the appointment of the commission, it shall organize by electing one of its members as chairman, a second as vice chairman, a third as secretary and a fourth as treasurer. The officers of the commission shall hold office for terms of one year and until their successors shall be chosen and qualify. The commission shall file a record of its members and their respective terms in the office of the Clerk of Court for Chesterfield County.

SECTION 6. Powers and duties.—The commission shall be responsible for the improvement of communication and cooperation among existing and future programs and the administration of one or more new programs designed to improve the health, education,

welfare, housing or employment of the residents of Chesterfield County. To this end the commission shall be empowered as follows:

(a) to sue and be sued;

(b) to adopt, use and alter a corporate seal;

(c) to make bylaws for the management and regulation of its affairs;

(d) to appoint agents, employees and servants, to prescribe their duties, to fix their compensation, to determine if and to what extent they shall be bonded for the faithful performance of their duties;

(e) to undertake the improvement of communication and cooperation among existing and future programs administered by federal, state, county and municipal governmental agencies and private nonprofit organizations designed to improve the health, education, welfare, housing or employment of the county residents and, with the consent of such agencies and organizations, to coordinate same;

(f) to enter into contracts and agreements for performance of its programs and duties with federal, state, county and municipal governmental agencies and subdivisions thereof, and private nonprofit organizations;

(g) to accept and receive funds for the performance of its duties in the administration of its programs from such governmental agencies and subdivisions thereof and private nonprofit organizations, as well as any other sources;

(h) to designate an executive committee from among the members of the commission to which may be delegated one or more duties and responsibilities of the commission and, from time to time, to appoint one or more sub-committees composed of residents of Chesterfield County to advise and assist in the administration of its program and the performance of its duties;

(i) to maintain adequate accounts and records of its activities, receipts and expenses in conformance with requirements of any contract or agreement with any federal, state, county or municipal governmental agency, or subdivision thereof, or any private nonprofit organization; and

(j) to acquire, own or hold in trust, preserve, restore, maintain or lease property, facilities and equipment reasonably necessary for the performance of its duties and the administration of its programs.

SECTION 7. Exempt from taxes.—All property of the commission shall be exempt from all ad valorem taxes levied by Chesterfield

County or municipality therein, or any division, subdivision or agency thereof, directly or indirectly.

SECTION 8. Fiscal year and audit.—The commission shall conduct its affairs on the fiscal year basis employed by Chesterfield County. As shortly after the close of its fiscal year as may be practicable an audit of its affairs shall be made by a certified public accountant in good standing, to be designated by the commission. Copies of such audit, incorporated into an annual report of the commission, shall be filed with each member of the county legislative delegation and in the office of the Clerk of Court for Chesterfield County.

SECTION 9. Contracts not to be impaired.—The right to alter, amend or rescind this act is hereby expressly reserved and disclosed, but no such amendment or repeal shall operate to impair the operation of any contract otherwise made by the authority pursuant to any power conferred by this act.

SECTION 10. When action may be taken.—Any action required of the commission may be taken at any regular or special meeting, and at such meeting a majority of the members shall constitute a quorum.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of March, 1965.

(R197, S118) **No. 143**

An Act To Amend Item (3) Of Section 15-274, Code Of Laws Of South Carolina, 1962, Relating To Terms Of Court In Lancaster County, So As To Provide Another Term Of General Sessions Court.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Item (3) of Section 15-274 amended—terms of court for Lancaster County.—Item (3) of Section 15-274, Code of Laws of South Carolina, 1962, is amended by inserting after the comma following "February" on line two "the fourth Monday in April," so that, when so amended, the item shall read:

"(3) The court of general sessions for Lancaster County shall be held at Lancaster on the second Monday in February, the fourth Monday in April, the third Monday in June and the third Monday in September. The court of common pleas shall be held at Lancaster on the third Monday in January, the first Monday in April, the second Monday in May, the fourth Monday in July and the fourth Monday in October."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of March, 1965.

(R198, S152) **No. 144**

An Act To Provide For The Drawing Of Forty-four Petit Jurors In Aiken County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Number of jurors for Aiken County.—Notwithstanding the provisions of Section 38-61 of the Code of 1962, in Aiken County the jury commissioners shall draw forty-four petit jurors.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of March, 1965.

(R199, S165) **No. 145**

An Act To Provide That The Superintendent Of The Allendale County School District Shall Have Charge Of And Supervision Over The Lunchroom And Commodities Programs And To Provide For The Transportation Of Commodities.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Allendale County—supervision of lunchroom and commodities programs.—Notwithstanding any provision of law to

the contrary, in Allendale County the superintendent of the Allendale County School District shall have charge of and supervision over the lunchroom and commodities programs. All commodities shall be transported by personnel of the county public works.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of March, 1965.

(R201, S186) **No. 146**

An Act To Create The Lee County Economic Opportunity Commission And To Prescribe Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Lee County Economic Opportunity Commission created.—There is hereby created the Lee County Economic Opportunity Commission.

SECTION 2. To be corporate body.—The commission is hereby declared to be a body politic and corporate and shall exercise and enjoy all the rights and privileges of such.

SECTION 3. Members and compensation.—The commission shall be composed of five members who shall be appointed by the Governor upon the recommendation of the legislative delegation. The members of the commission shall serve without compensation.

SECTION 4. Terms and vacancies.—The terms of office of the members of the commission shall be for two years and until their successors are appointed and qualify. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor. Of the initial appointees, two shall serve for one year.

SECTION 5. Officers.—Immediately upon the appointment of the commission, it shall organize by electing from its membership a chairman, a vice chairman and a secretary and treasurer. The commission shall file a record of its members in the office of the Clerk of Court for Lee County.

SECTION 6. Powers and duties.—The commission shall be responsible for the improvement of communication and cooperation among existing and future programs and the administration of one or more new programs designed to improve the health, education, welfare, housing or employment of the residents of Lee County. To this end the commission shall be empowered as follows:

(a) to sue and be sued;

(b) to adopt, use and alter a corporate seal;

(c) to make bylaws for the management and regulation of its affairs;

(d) to appoint agents, employees and servants, to prescribe their duties, to fix their compensation, to determine if and to what extent they shall be bonded for the faithful performance of their duties;

(e) to undertake the improvement of communication and cooperation among existing and future programs administered by federal, state, county and municipal governmental agencies and private nonprofit organizations designed to improve the health, education, welfare, housing or employment of the county residents and, with the consent of such agencies and organizations, to coordinate the programs;

(f) to enter into contracts and agreements for performance of its programs and duties with federal, state, county and municipal governmental agencies and subdivisions thereof, and private nonprofit organizations;

(g) to accept and receive funds for the performance of its duties in the administration of its programs from such governmental agencies and subdivisions thereof and private nonprofit organizations, as well as any other sources;

(h) to designate an executive committee from among the members of the commission to which may be delegated one or more duties and responsibilities of the commission and, from time to time, to appoint one or more subcommittees composed of residents of Lee County to advise and assist in the administration of its program and the performance of its duties;

(i) to maintain adequate accounts and records of its activities, receipts and expenses in conformance with requirements of any contract or agreement with any federal, state, county or municipal governmental agency, or subdivision thereof, or any private nonprofit organization; and

(j) to acquire, own or hold in trust, preserve, restore, maintain or lease property, facilities and equipment reasonably necessary for the performance of its duties and the administration of its programs.

SECTION 7. Exempt from taxes.—All property of the commission shall be exempt from all ad valorem taxes levied by Lee County or any municipality therein, or any division, subdivision or agency thereof, directly or indirectly.

SECTION 8. Fiscal year and audit.—The commission shall conduct its affairs on the fiscal year basis employed by Lee County. As shortly after the close of its fiscal year as may be practicable, an audit of its affairs shall be made by a certified public accountant in good standing, to be designated by the commission. Copies of such audit, incorporated into an annual report of the commission, shall be filed with the Lee County Legislative Delegation.

SECTION 9. Contracts not to be impaired.—The right to alter, amend or rescind this act is hereby expressly reserved and disclosed, but no such amendment or repeal shall operate to impair the operation of any contract otherwise made by the authority pursuant to any power conferred by this act.

SECTION 10. When action may be taken.—Any action required of the commission may be taken at any regular or special meeting, and at such meeting a majority of the members shall constitute a quorum.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of March, 1965.

(R202, S187) **No. 147**

An Act To Create The Jasper County Economic Opportunity Commission And To Prescribe Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Jasper County Economic Opportunity Commission —created.—There is hereby created the Jasper County Economic Opportunity Commission.

SECTION 2. To be corporate body.—The commission is hereby declared to be a body politic and corporate and shall exercise and enjoy all the rights and privileges of such.

SECTION 3. Members and compensation.—The commission shall be composed of fifteen members who shall be appointed by the Governor upon the recommendation of the legislative delegation. The members of the commission shall serve without compensation.

SECTION 4. Terms and vacancies.—The terms of office of the members of the commission shall be for two years and until their successors are appointed and qualify. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor. Of the initial appointees, seven shall serve for one year.

SECTION 5. Officers.—Immediately upon the appointment of the commission, it shall organize by electing from its membership a chairman, a vice chairman and a secretary and treasurer. The commission shall file a record of its members in the office of the Clerk of Court for Jasper County.

SECTION 6. Powers and duties.—The commission shall be responsible for the improvement of communication and cooperation among existing and future programs and the administration of one or more new programs designed to improve the health, education, welfare, housing or employment of the residents of Jasper County. To this end the commission shall be empowered as follows:

(a) to sue and be sued;

(b) to adopt, use and alter a corporate seal;

(c) to make bylaws for the management and regulation of its affairs;

(d) to appoint agents, employees and servants, to prescribe their duties, to fix their compensation, to determine if and to what extent they shall be bonded for the faithful performance of their duties;

(e) to undertake the improvement of communication and cooperation among existing and future programs administered by federal, state, county and municipal governmental agencies and private nonprofit organizations designed to improve the health, education, welfare, housing or employment of the county residents and, with the

consent of such agencies and organizations, to coordinate the programs;

(f) to enter into contracts and agreements for performance of its programs and duties with federal, state, county and municipal governmental agencies and subdivisions thereof, and private nonprofit organizations;

(g) to accept and receive funds for the performance of its duties in the administration of its programs from such governmental agencies and subdivisions thereof and private nonprofit organizations, as well as any other sources;

(h) to designate an executive committee from among the members of the commission to which may be delegated one or more duties and responsibilities of the commission and, from time to time, to appoint one or more subcommittees composed of residents of Jasper County to advise and assist in the administration of its program and the performance of its duties;

(i) to maintain adequate accounts and records of its activities, receipts and expenses in conformance with requirements of any contract or agreement with any federal, state, county or municipal governmental agency, or subdivision thereof, or any private nonprofit organization; and

(j) to acquire, own or hold in trust, preserve, restore, maintain or lease property, facilities and equipment reasonably necessary for the performance of its duties and the administration of its programs.

SECTION 7. Exempt from taxes.—All property of the commission shall be exempt from all ad valorem taxes levied by Jasper County or any municipality therein, or any division, subdivision or agency thereof, directly or indirectly.

SECTION 8. Fiscal year and audit.—The commission shall conduct its affairs on the fiscal year basis employed by Jasper County. As shortly after the close of its fiscal year as may be practicable, an audit of its affairs shall be made by a certified public accountant in good standing, to be designated by the commission. Copies of such audit, incorporated into an annual report of the commission, shall be filed with the Jasper County Legislative Delegation.

SECTION 9. Contracts not to be impaired.—The right to alter, amend or rescind this act is hereby expressly reserved and disclosed, but no such amendment or repeal shall operate to impair the op-

eration of any contract otherwise made by the authority pursuant to any power conferred by this act.

SECTION 10. When action may be taken.—Any action required of the commission may be taken at any regular or special meeting, and at such meeting a majority of the members shall constitute a quorum.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of March, 1965.

(R203, S189) **No. 148**

An Act To Create The Kershaw County Economic Opportunity Commission And To Prescribe Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Kershaw County Economic Opportunity Commission created.—There is hereby created the Kershaw County Economic Opportunity Commission.

SECTION 2. To be corporate body.—The commission is hereby declared to be a body politic and corporate and shall exercise and enjoy all the rights and privileges of such.

SECTION 3. Members and compensation.—The commission shall be composed of nine members who shall be appointed by the Governor upon the recommendation of the legislative delegation. The members of the commission shall serve without compensation.

SECTION 4. Terms and vacancies.—The terms of office of the members of the commission shall be for two years or until their successors are appointed and qualify. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor. Of the initial appointees, four shall serve for one year.

SECTION 5. Officers.—Immediately upon the appointment of the commission, it shall organize by electing one of its members as chairman, a second as vice chairman and a third as secretary and treasurer.

The commission shall file a record of its members in the office of the Clerk of Court for Kershaw County.

SECTION 6. Powers and duties.—The commission shall be responsible for the improvement of communication and cooperation among existing and future programs and the administration of one or more new programs designed to improve the health, education, welfare, housing or employment of the residents of Kershaw County. To this end the commission shall be empowered as follows:

(a) to sue and be sued;

(b) to adopt, use and alter a corporate seal;

(c) to make bylaws for the management and regulation of its affairs;

(d) to appoint agents, employees and servants, to prescribe their duties, to fix their compensation, to determine if and to what extent they shall be bonded for the faithful performance of their duties;

(e) to undertake the improvement of communication and cooperation among existing and future programs administered by federal, state, county and municipal governmental agencies and private nonprofit organizations designed to improve the health, education, welfare, housing or employment of the county residents and, with the consent of such agencies and organizations, to coordinate the programs;

(f) to enter into contracts and agreements for performance of its programs and duties with federal, state, county and municipal governmental agencies and subdivisions thereof, and private nonprofit organizations;

(g) to accept and receive funds for the performance of its duties in the administration of its programs from such governmental agencies and subdivisions thereof and private nonprofit organizations, as well as any other sources;

(h) to designate an executive committee from among the members of the commission to which may be delegated one or more duties and responsibilities of the commission and, from time to time, to appoint one or more subcommittees composed of residents of Kershaw County to advise and assist in the administration of its program and the performance of its duties;

(i) to maintain adequate accounts and records of its activities, receipts and expenses in conformance with requirements of any con-

tract or agreement with any federal, state, county or municipal governmental agency, or subdivision thereof, or any private nonprofit organization; and

(j) to acquire, own or hold in trust, preserve, restore, maintain or lease property, facilities and equipment reasonably necessary for the performance of its duties and the administration of its programs.

SECTION 7. Exempt from taxes.—All property of the commission shall be exempt from all ad valorem taxes levied by Kershaw County or any municipality therein, or any division, subdivision or agency thereof, directly or indirectly.

SECTION 8. Fiscal year and audit.—The commission shall conduct its affairs on the fiscal year basis employed by Kershaw County. As shortly after the close of its fiscal year as may be practicable, an audit of its affairs shall be made by a certified public accountant in good standing, to be designated by the commission. Copies of such audit, incorporated into an annual report of the commission, shall be filed with the Kershaw County Legislative Delegation.

SECTION 9. Contracts not to be impaired.—The right to alter, amend or rescind this act is hereby expressly reserved and disclosed, but no such amendment or repeal shall operate to impair the operation of any contract otherwise made by the authority pursuant to any power conferred by this act.

SECTION 10. When action may be taken.—Any action required of the commission may be taken at any regular or special meeting, and at such meeting a majority of the members shall constitute a quorum.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of March, 1965.

(R204, H1060)

No. 149

An Act To Create The Dalzell Water District Of Sumter County And To Prescribe Its Area And Functions; To Provide For Its Governing Body, Their Terms, Powers And Duties; And To Provide Penalties For Certain Actions.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Dalzell Water District of Sumter County created.—There is hereby created a body corporate and politic of perpetual succession to be known as Dalzell Water District of Sumter County (hereinafter called the district). It shall be the purpose and function of the district to acquire, construct and operate a waterworks system, utilizing therefor water from available sources, by purchase or otherwise, at such convenient points as the district shall select, to provide a flow of water through pipes to the community of Dalzell and to such other domestic, commercial or industrial users who can be conveniently and economically served within or without the service area as herein provided. To this end the district shall perform the functions prescribed by this act, and shall be vested with the powers herein granted and all other powers that may be necessary or incidental in carrying out the functions herein prescribed and exercising the powers herein granted. The water mains, distribution facilities, tanks, their several component parts, and all apparatus, equipment and property incident thereto or used or useful in the operation thereof and all additions, improvements, extensions and enlargements to any of them shall be referred to in this act as the system.

SECTION 2. Service area.—The district shall include and be comprised of the following territory which shall be known as the service area:

> All that area enclosed in a circle of one and one-tenth (1.10) mile radius, the center of the circle being the point of intersection of the center lines of U. S. Highway No. 521 and S. C. State Road No. S-43-43; said intersection is in the approximate center of the community of Dalzell, South Carolina.

SECTION 3. To be managed by a board of directors.—The district shall be operated and managed by a board of directors to be known as the "Dalzell Water District Board of Sumter County" which shall constitute the governing body of the district. The board shall consist of five resident electors of the area who shall be appointed by the Governor, upon the recommendation of a majority of the Sumter County Legislative Delegation, including the Senator. The delegation shall recommend only such persons as were nominated at a meeting of the residents of these areas and certified to the delegation by the chairman and secretary of the meeting. The meeting shall be advertised in a local newspaper for at least one

week giving the time and place of the meeting. The original appointments shall be for a term of two years for two appointees, for four years for two appointees, and for six years for one appointee. All terms after the initial appointments shall be for six years. All appointees shall hold office until their successors shall have been appointed and qualified. The initial terms of office shall begin as of the effective date of this act. Any vacancy shall be filled in like manner as the original appointment for the unexpired portion of the term. Immediately after appointment, the board shall meet and organize by the election of one of its members as chairman, one as vice chairman, one as secretary and one as treasurer. The offices of the secretary and treasurer may be combined in the discretion of the board.

SECTION 4. Powers and duties.—The district, acting through its governing body, is hereby vested with all such powers as may be necessary or incidental to carry out its purposes, functions and responsibilities including, but without limitation the following:

(1) To have perpetual succession.

(2) To sue and be sued.

(3) To adopt, use and alter a corporate seal.

(4) To define a quorum for meetings.

(5) To maintain a principal office.

(6) To make bylaws for the management and regulation of its affairs.

(7) To build, construct, maintain and operate ditches, tunnels, culverts, flumes, conduits, mains, pipes, dikes, dams and reservoirs.

(8) To build, construct, maintain and operate distribution systems for the distribution of water for domestic or industrial use.

(9) To acquire and operate any type of machinery, appliances or appurtenances, necessary or useful in constructing, operating and maintaining the system.

(10) To contract for or otherwise acquire a supply of water and sell water for industrial or domestic use.

(11) To prescribe rates and regulations under which such water shall be sold for industrial and domestic use.

(12) To enter into contracts of long duration for the sale of water with persons, private corporations, municipal corporations or public bodies or agencies.

(13) To prescribe such regulations as it shall deem necessary to protect from pollution all water in its pipes, tanks, reservoirs, distribution systems or elsewhere within its system.

(14) To make contracts of all sorts and to execute all instruments necessary or convenient for the carrying on of the business of the district.

(15) To acquire, purchase, hold, use, lease, mortgage, sell, transfer and dispose of any property, real, personal or mixed, or any interest therein.

(16) To make use of county and state highway rights-of-way in which to lay pipes and lines in such manner and under such conditions as the appropriate officials in charge of such rights-of-way shall approve.

(17) Subject always to the limitations of Section 4, Article VIII, of the Constitution of this State, to make use of all the streets and public ways of an incorporated municipality for the purpose of laying pipes and lines.

(18) To alter and change county and state highways wherever necessary to construct the system under such conditions as the appropriate officials in charge of such highways shall approve.

(19) To exercise the power of eminent domain for any corporate function. The power of eminent domain may be exercised through any procedure prescribed by Sections 25-101 through 25-140 and 33-121 through 33-148, Code of Laws of South Carolina, 1962, as now or hereafter constituted, it being the intent of this provision that further amendments and modifications of these code provisions shall be deemed to amend and revise correspondingly the powers granted by this paragraph.

Provided, however, that the Power of Eminent Domain conferred hereunder shall not extend to such property of any public utility as the utility could have acquired under its Power of Eminent Domain.

(20) To appoint officers, agents, employees and servants, to prescribe the duties of such, to fix their compensation and to determine if and to what extent they shall be bonded for the faithful performance of their duties.

(21) To make contracts for construction and other services; *provided,* that such contracts shall be let on competitive bidding and shall be awarded to the lowest responsible bidder.

(22) To borrow money and to make and issue negotiable bonds, notes and other evidences of indebtedness, payable from all or any part of the revenues derived from the operation of its system. The sums borrowed may be those needed to pay all costs incident to the construction and establishment of the system, and any extensions,

additions and improvements thereto, including engineering costs, legal costs, construction costs; the sum needed to pay interest during the period prior to which the system, or any extension, addition or improvement thereof, shall be fully in operation; such sum as is needed to supply working capital to place the system in operation; and all other expenses of any sort that the district may incur in establishing, extending or enlarging the system. Neither the full faith and credit of the State of South Carolina, nor Sumter County, shall be pledged for the payment of the principal and interest of the obligations, and there shall be on the face of each obligation a statement, plainly worded, to that effect. Neither the members of the board, nor any person signing the obligations, shall be personally liable thereon. To the end that a convenient procedure for borrowing money may be prescribed, the district shall be fully empowered to avail itself of all powers granted by Sections 59-361 through 59-415 and 59-651 through 59-682, Code of Laws of South Carolina, 1962, as now or hereafter constituted, it being the intent of this provision that further amendments and modifications of the code provisions shall be deemed to amend and revise correspondingly the powers granted by this paragraph. In exercising the power conferred upon the district by such code provisions, the district may make or omit all pledges and covenants authorized by any provision thereof and may confer upon the holders of its securities all rights and liens authorized by law. Notwithstanding contrary provisions in the code, the district may:

(a) Disregard any provision requiring that bonds have serial maturities, and issue bonds in such form and with such maturities as the district shall determine.

(b) Provide that its bonds, notes or other evidence of indebtedness be payable, both as to principal and interest, from the net revenues derived from the operation of its system, as such net revenues may be defined by the district.

(c) Covenant and agree that upon it being adjudged in default as to the payment of any installment of principal or interest upon any obligation issued by it, or in default as to the performance of any covenant or undertaking made by it, in such event the principal of all obligations of such issue may be declared forthwith due and payable, notwithstanding that any of them may not have then matured.

(d) Confer upon a corporation trustee the power to make disposition of the proceeds from all borrowings and of all revenues derived from the operation of the system, in accordance with the resolutions

adopted by the authority as an incident to the issuance of any notes, bonds or other types of securities.

(e) Dispose of bonds, notes or other evidence of indebtedness at public or private sale, and upon such terms and conditions as it shall approve.

(f) Make provision for the redemption of any obligations issued by it prior to their stated maturity, with or without premium, and on such terms and conditions as the district shall approve.

(g) Covenant and agree that any cushion fund established to further secure the payment of the principal and interest of any obligation shall be in a fixed amount.

(h) Covenant and agree that no free service will be furnished to any person, municipal corporation, or any subdivision or division of the State.

(i) Prescribe the procedure, if any, by which the terms of the contract with the holders of its obligations may be amended, the number of obligations whose holders must consent thereto, and the manner in which such consent shall be given.

(j) Prescribe the events of default and the terms and conditions upon which all or any obligations shall become or may be declared due before maturity and the terms and conditions upon which such declarations and their consequences may be waived.

(23) To extend its system or systems, within Sumter County, beyond the defined limits of the district to provide services to those living outside the district and outside any incorporated municipality when, in the discretion of the board, it is feasible and practicable so to do, in which case any person or agency receiving such service shall be subject to the same rules, regulations and requirements concerning services being received from the district as persons residing within the district. The board may, in its discretion, establish rates and charges higher than those within the district for the extension of its system and the provision of services beyond the limits of the district.

SECTION 5. Rates to be regulated.—The rates charged for services furnished by the system, as constructed, improved, enlarged and extended shall not be subject to supervision or regulation by any state bureau, board, commission, or like instrumentality or agency thereof.

SECTION 6. Exempt from taxes.—(1) Bonds, notes or other evidence of indebtedness issued pursuant to Section 4 (22) of this

act and interest payable thereon are hereby exempted from any and all State, county, municipal and other taxation whatsoever under the laws of this State, and it shall be plainly stated on the face of each such obligation as follows: "The principal of and interest on this (bond, note, or other evidence of indebtedness) are exempted from any and all State, county, and municipal and other taxation whatsoever under the laws of the State of South Carolina."

(2) All property owned by Dalzell Water District of Sumter County shall be exempt from all *ad valorem* taxes levied by the State, county or any municipality, division, subdivision or agency thereof, direct or indirect.

SECTION 7. Fiscal year audit and annual report.—The district shall conduct its affairs on the fiscal year basis employed by the State. As shortly after the close of its fiscal year as may be practicable, an audit of its affairs shall be made by certified public accountants of good standing, to be designated by the district. Copies of such audits incorporated into an annual report of the district shall be filed with the Auditor and Treasurer of Sumter County, and with the Secretary to the Legislative Delegation of Sumter County.

SECTION 8. Penalties for unlawful acts.—It shall be unlawful for any person to willfully injure or destroy, or in any manner hurt, damage, tamper with, or impair the system of the district, or any part thereof, or any machinery, apparatus or equipment of the district, or to pollute the water in any part of its system, or to obtain water therefrom except in accordance with the regulations promulgated by the district. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not less than ten dollars nor more than one hundred dollars, or be imprisoned for not more than thirty days, in the discretion of the court, and shall be further liable to pay all damages suffered by the district.

SECTION 9. Municipalities may purchase water.—The municipalities of Sumter County and all public bodies and public agencies now or hereafter operating water distribution systems in Sumter County shall be fully empowered to enter into contracts to buy water from the district. These contracts shall extend over such period of time and shall contain such terms and conditions as shall be mutually agreeable to the district and to the contracting municipality, public body or public agency.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of March, 1965.

(R208, H1373)

No. 150

An Act To Create The Saluda County Economic Opportunity Commission And To Prescribe Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Saluda County Economic Opportunity Commission created.—There is hereby created the Saluda County Economic Opportunity Commission.

SECTION 2. To be corporate body.—The commission is hereby declared to be a body politic and corporate and shall exercise and enjoy all the rights and privileges of such.

SECTION 3. Members and compensation.—The commission shall be composed of five members who shall be appointed by the Governor upon the recommendation of the legislative delegation. The members of the commission shall serve without compensation.

SECTION 4. Terms and vacancies.—The terms of office of the members of the commission shall be for two years and until their successors are appointed and qualify. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor. Of the initial appointees, two shall serve for one year.

SECTION 5. Officers.—Immediately upon the appointment of the commission, it shall organize by electing from its membership a chairman, a vice chairman and a secretary and treasurer. The commission shall file a record of its members in the office of the Clerk of Court for Saluda County.

SECTION 6. Powers and duties.—The commission shall be responsible for the improvement of communication and cooperation among existing and future programs and the administration of one or more new programs designed to improve the health, education, welfare, housing or employment of the residents of Saluda County. To this end the commission shall be empowered as follows:

(a) to sue and be sued;

(b) to adopt, use and alter a corporate seal;

(c) to make bylaws for the management and regulation of its affairs;

(d) to appoint agents, employees and servants, to prescribe their duties, to fix their compensation, to determine if and to what extent they shall be bonded for the faithful performance of their duties;

(e) to undertake the improvement of communication and cooperation among existing and future programs administered by federal, state, county and municipal governmental agencies and private nonprofit organizations designed to improve the health, education, welfare, housing or employment of the county residents and, with the consent of such agencies and organizations, to coordinate the programs;

(f) to enter into contracts and agreements for performance of its programs and duties with federal, state, county and municipal governmental agencies and subdivisions thereof, and private nonprofit organizations;

(g) to accept and receive funds for the performance of its duties in the administration of its programs from such governmental agencies and subdivisions thereof and private nonprofit organizations, as well as any other sources;

(h) to designate an executive committee from among the members of the commission to which may be delegated one or more duties and responsibilities of the commission and, from time to time, to appoint one or more subcommittees composed of residents of Saluda County to advise and assist in the administration of its program and the performance of its duties;

(i) to maintain adequate accounts and records of its activities, receipts and expenses in conformance with requirements of any contract or agreement with any federal, state, county or municipal governmental agency, or subdivision thereof, or any private nonprofit organization; and

(j) to acquire, own or hold in trust, preserve, restore, maintain or lease property, facilities and equipment reasonably necessary for the performance of its duties and the administration of its programs.

SECTION 7. Exempt from taxes.—All property of the commission shall be exempt from all ad valorem taxes levied by Saluda

County or any municipality therein, or any division, subdivision or agency thereof, directly or indirectly.

SECTION 8. Fiscal year and audit.—The commission shall conduct its affairs on the fiscal year basis employed by Saluda County. As shortly after the close of its fiscal year as may be practicable, an audit of its affairs shall be made by a certified public accountant in good standing, to be designated by the commission. Copies of such audit, incorporated into an annual report of the commission, shall be filed with the Saluda County Legislative Delegation.

SECTION 9. Contracts not to be impaired.—The right to alter, amend or rescind this act is hereby expressly reserved and disclosed, but no such amendment or repeal shall operate to impair the operation of any contract otherwise made by the authority pursuant to any power conferred by this act.

SECTION 10. When action may be taken.—Any action required of the commission may be taken at any regular or special meeting, and at such meeting a majority of the members shall constitute a quorum.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of March, 1965.

(R209, H1378)

No. 151

An Act To Create The Hampton County Economic Opportunity Commission And To Prescribe Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Hampton County Economic Opportunity Commission created.—There is hereby created the Hampton County Economic Opportunity Commission.

SECTION 2. To be corporate body.—The commission is hereby declared to be a body politic and corporate and shall exercise and enjoy all the rights and privileges of such.

SECTION 3. Members and compensation.—The commission shall be composed of five members who shall be appointed by the Gov-

ernor upon the recommendation of the legislative delegation. The members of the commission shall serve without compensation.

SECTION 4. Terms and vacancies.—The terms of office of the members of the commission shall be for two years or until their successors are appointed and qualify. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor. Of the initial appointees, three shall serve for one year.

SECTION 5. Officers.—Immediately upon the appointment of the commission, it shall organize by electing one of its members as chairman, a second as vice chairman and a third as secretary and treasurer. The commission shall file a record of its members in the office of the Clerk of Court for Hampton County.

SECTION 6. Powers and duties.—The commission shall be responsible for the improvement of communication and cooperation among existing and future programs and the administration of one or more new programs designed to improve the health, education, welfare, housing or employment of the residents of Hampton County. To this end the commission shall be empowered as follows:

(a) to sue and be sued;

(b) to adopt, use and alter a corporate seal;

(c) to make bylaws for the management and regulation of its affairs;

(d) to appoint agents, employees and servants, to prescribe their duties, to fix their compensation, to determine if and to what extent they shall be bonded for the faithful performance of their duties;

(e) to undertake the improvement of communication and cooperation among existing and future programs administered by federal, state, county and municipal governmental agencies and private nonprofit organizations designed to improve the health, education, welfare, housing or employment of the county residents and, with the consent of such agencies and organizations, to coordinate same;

(f) to enter into contracts and agreements for performance of its programs and duties with federal, state, county and municipal governmental agencies and subdivisions thereof, and private nonprofit organizations;

(g) to accept and receive funds for the performance of its duties in the administration of its programs from such governmental agencies

and subdivisions thereof and private nonprofit organizations, as well as any other sources;

(h) to designate an executive committee from among the members of the commission to which may be delegated one or more duties and responsibilities of the commission and, from time to time, to appoint one or more subcommittees composed of residents of Hampton County to advise and assist in the administration of its program and the performance of its duties;

(i) to maintain adequate accounts and records of its activities, receipts and expenses in conformance with requirements of any contract or agreement with any federal, state, county or municipal governmental agency, or subdivision thereof, or any private nonprofit organization; and

(j) to acquire, own or hold in trust, preserve, restore, maintain or lease property, facilities and equipment reasonably necessary for the performance of its duties and the administration of its programs.

SECTION 7. Exempt from taxes.—All property of the commission shall be exempt from all ad valorem taxes levied by Hampton County or any municipality therein, or any division, subdivision or agency thereof, directly or indirectly.

SECTION 8. Fiscal year and audit.—The commission shall conduct its affairs on the fiscal year basis employed by Hampton County. As shortly after the close of its fiscal year as may be practicable an audit of its affairs shall be made by a certified public accountant in good standing, to be designated by the commission. Copies of such audit, incorporated into an annual report of the commission, shall be filed with the Hampton County Legislative Delegation.

SECTION 9. Contracts not to be impaired.—The right to alter, amend or rescind this act is hereby expressly reserved and disclosed, but no such amendment or repeal shall operate to impair the operation of any contract otherwise made by the authority pursuant to any power conferred by this act.

SECTION 10. When action may be taken.—Any action required of the commission may be taken at any regular or special meeting, and at such meeting a majority of the members shall constitute a quorum.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of March, 1965.

(R210, H1326)

No. 152

An Act To Amend Item (e) of Section 5 Of Act 726 Of 1964, Relating To The Richland County Board Of Administrators, So As To Provide That It Shall Allocate Office Space In County Buildings And Provide Space For Countywide Officers; To Exempt Richland County From Certain Provisions Of Sections 14-11, 17-58, 15-1113, 53-191 And 55-577, Code Of Laws Of South Carolina, 1962, Relating To Courthouse Office Space For Various County Officers; And To Repeal Section 14-3202, Code Of Laws Of South Carolina, 1962, Relating To Allocating Space In The Richland County Courthouse.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Item (e), Section 5 of Act 726 of 1964 amended—powers and duties.—Item (e) of Section 5 of Act 726 of 1964 is amended by adding after the word "county" on line two ", including the allocation of office space in all county buildings and the providing of office space for all countywide officers." The item when amended shall read as follows:

"(e) The supervision of all buildings and grounds owned by the county, including the allocation of office space in all county buildings and the providing of office space for all countywide officers."

SECTION 2. Certain code sections not applicable to Richland County.—The provisions of Sections 14-11, 17-58, 15-1113, 53-191 and 55-577, Code of Laws of South Carolina, 1962, as they relate to office space in the courthouse, shall not apply to Richland County.

SECTION 3. Section 14-3202 repealed.—Section 14-3202, Code of Laws of South Carolina, 1962, is repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of March, 1965.

(R211, H1340)

No. 153

An Act To Create The Berkeley County Economic Opportunity Commission And To Prescribe Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Berkeley County Economic Opportunity Commission created.—There is hereby created the Berkeley County Economic Opportunity Commission.

SECTION 2. To be corporate body.—The commission is hereby declared to be a body politic and corporate and shall exercise and enjoy all the rights and privileges of such.

SECTION 3. Members and compensation.—The commission shall be composed of seven members who shall be appointed by the Governor upon the recommendation of the legislative delegation. The members of the commission shall serve without compensation.

SECTION 4. Terms and vacancies.—The terms of office of the members of the commission shall be for two years and until their successors are appointed and qualify. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor. Of the initial appointees, three shall serve for one year.

SECTION 5. Officers.—Immediately upon the appointment of the commission, it shall organize by electing from its membership a chairman, a vice chairman and a secretary and treasurer. The commission shall file a record of its members in the office of the Clerk of Court for Berkeley County.

SECTION 6. Powers and duties.—The commission shall be responsible for the improvement of communication and cooperation among existing and future programs and the administration of one or more new programs designed to improve the health, education, welfare, housing or employment of the residents of Berkeley County. To this end the commission shall be empowered as follows:

(a) to sue and be sued;

(b) to adopt, use and alter a corporate seal;

(c) to make bylaws for the management and regulation of its affairs;

(d) to appoint agents, employees and servants, to prescribe their duties, to fix their compensation, to determine if and to what extent they shall be bonded for the faithful performance of their duties;

(e) to undertake the improvement of communication and cooperation among existing and future programs administered by federal, state, county and municipal governmental agencies and private nonprofit organizations designed to improve the health, education, welfare, housing or employment of the county residents and, with the consent of such agencies and organizations, to coordinate the programs;

(f) to enter into contracts and agreements for performance of its programs and duties with federal, state, county and municipal governmental agencies and subdivisions thereof, and private nonprofit organizations;

(g) to accept and receive funds for the performance of its duties in the administration of its programs from such governmental agencies and subdivisions thereof and private nonprofit organizations, as well as any other sources;

(h) to designate an executive committee from among the members of the commission to which may be delegated one or more duties and responsibilities of the commission and, from time to time, to appoint one or more subcommittees composed of residents of Berkeley County to advise and assist in the administration of its program and the performance of its duties;

(i) to maintain adequate accounts and records of its activities, receipts and expenses in conformance with requirements of any contract or agreement with any federal, state, county or municipal governmental agency, or subdivision thereof, or any private nonprofit organization; and

(j) to acquire, own or hold in trust, preserve, restore, maintain or lease property, facilities and equipment reasonably necessary for the performance of its duties and the administration of its programs.

SECTION 7. Exempt from taxes.—All property of the commission shall be exempt from all ad valorem taxes levied by Berkeley County or any municipality therein, or any division, subdivision or agency thereof, directly or indirectly.

SECTION 8. Fiscal year and audit.—The commission shall conduct its affairs on the fiscal year basis employed by Berkeley County. As shortly after the close of its fiscal year as may be practicable, an audit of its affairs shall be made by a certified public accountant in

good standing, to be designated by the commission. Copies of such audit, incorporated into an annual report of the commission, shall be filed with the Berkeley County Legislative Delegation.

SECTION 9. Contracts not to be impaired.—The right to alter, amend or rescind this act is hereby expressly reserved and disclosed, but no such amendment or repeal shall operate to impair the operation of any contract otherwise made by the authority pursuant to any power conferred by this act.

SECTION 10. When action may be taken.—Any action required of the commission may be taken at any regular or special meeting, and at such meeting a majority of the members shall constitute a quorum.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of March, 1965.

(R212, H1348)

No. 154

An Act To Amend An Act Of 1965 Bearing Ratification No. 90, Relating To The Beaufort County Economic Opportunity Commission, So As To Increase The Membership.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 3 of Act 63 of 1965 amended—members and compensation.—Section 3 of an act of 1965 bearing Ratification No. 90 is amended on line one by striking the word "fifteen" and inserting "seventeen" and on line eight by striking the word "five" and inserting "seven". The section when amended shall read as follows:

"Section 3. The commission shall be composed of seventeen members as follows: one shall be a member of the Beaufort County Development Commission, one shall be a member of the Beaufort Town Council, one shall be a member of the Port Royal Town Council, one shall be a member of the Bluffton Town Council, one shall be a member of the Beaufort County Board of Directors, (all of whom shall serve ex officio), and there shall be a member from each of the five townships and seven from the county at large. All members

shall be residents of the county and shall be appointed by the Governor upon the recommendation of a majority of the county legislative delegation, including the Senator. The members of the commission shall serve without compensation."

SECTION 2. Section 4 of Act 63 of 1965 amended—terms and vacancies.—Section 4 of an Act of 1965 bearing Ratification No. 90 is amended on line six by striking the word "seven" and inserting "eight". The section when amended shall read as follows:

"Section 4. The terms of office of the members of the commission shall be for two years or until their successors are appointed and qualify. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor. Of the initial appointees, eight shall serve for one year. No member who has served for a period of four consecutive years shall be eligible for reappointment for a period of one year following the termination of his previous term."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of March, 1965.

(R214, H1385)

No. 155

An Act To Amend Section 32-362, Code Of Laws Of South Carolina, 1962, Relating To Membership Of The County Board Of Health, So As To Change The Designation Of The Richland County Medical Society To Columbia Medical Society Of Richland County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 32-362 amended—members and terms.—Section 32-362, Code of Laws of South Carolina, 1962, is amended by striking "Richland County Medical Society" on line six and inserting in lieu thereof "Columbia Medical Society of Richland County" so that when amended the section shall read as follows:

"Section 32-362. The county board of health shall be composed of five residents of the county, three of whom shall be appointed by the

Governor upon the recommendation of a majority of the county legislative delegation, including the Senator, the other two to be appointed by the Governor upon the recommendation of the Columbia Medical Society of Richland County. The regular terms of office of the members of the board shall be for a period of four years and until their successors have been appointed and qualify. In case of a vacancy occurring for any cause it shall be filled by appointment as provided for the regular term."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of March, 1965.

(R215, H1387) **No. 156**

An Act Requiring Municipalities In Beaufort County To File Copies Of Building Permits With The County Auditor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Municipalities in Beaufort County to file building permits.—On or before the tenth day of each month, all municipalities in Beaufort County issuing building permits shall file with the county auditor copies of permits issued the preceding month.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of March, 1965.

(R217, H1390) **No. 157**

An Act To Amend Section 21-1432, Code Of Laws Of South Carolina, 1962, Relating To The Powers And Duties Of The Beaufort County Higher Education Commission, So As To Grant Additional Powers.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 21-1432 amended—powers and duties.—Section 21-1432 of the Code of 1962 is amended by inserting after

the sentence ending with "article" on line fourteen the following: "The Commission may hold title to real and personal property. The Commission may borrow funds and may receive grants." When so amended, the section shall read:

"Section 21-1432. The Commission, upon the approval of a majority of its members, may enter into contracts with any institutions of higher learning upon such terms and conditions as may be mutually acceptable to the Commission and any such institution of higher learning, for the establishment and operation of an educational center to be a branch of such institution at Beaufort. The Commission may obligate itself for the expenditure of a sum for the purposes of this article in an amount not to exceed that which is appropriated by law. The Commission may bind itself for the furnishing of suitable facilities and accommodations, for the educational center, when by written prior agreement, it has obtained permission for the furnishing thereof from the authority, agency or board having control of such accommodations. The Commission is authorized to accept such gifts as may be appropriate to carry out the provisions of this article. The Commission may hold title to real and personal property. The Commission may borrow funds and may receive grants. The Commission shall appoint a group of not less than five nor more than fifteen interested persons from Beaufort County and the surrounding area, who shall be known as the Beaufort County Higher Education Advisory Board, who may act in an advisory capacity to the Commission. Three of the persons so appointed shall be appointed only upon the recommendation of a majority of the Beaufort County legislative delegation."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of March, 1965.

(R219, S170)

No. 158

An Act To Provide For The Filming Of Records And Their Use In Calhoun County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Calhoun County records—filing of.—(1) The clerk of court and any other office or officer in Calhoun County required

by law to maintain or to keep records and to record all instruments, papers and notices, the recording of which is required or permitted by law, may have photographed or microphotographed or filmed all or any part of the records kept or recorded by such officers.

(2) A system of microphotography may be used by such county officers as a photographic reproduction process to record some or all instruments, papers, notices and proceedings that are required or permitted by law to be recorded or filed. All film used in the microphotography process shall comply with minimum standards of quality approved by the United States Bureau of Standards. A true copy of such film shall be placed in conveniently accessible files and provision made for preserving, examining and using them, and the officers shall make such necessary and proper arrangements to facilitate public inspection.

(3) If the recorded instruments or the record books in the various offices of the county have been microfilmed for preservation purposes, a type of record book may be used which will permit the removal of leaves in order that reproduction may be made in an efficient manner. In order to microfilm or otherwise reproduce the record books for preservation purposes, permanently-bound record books may be disassembled which will permit the removal of leaves thereof in order that reproduction may be made in an efficient manner.

(4) The clerk of court and other officers of the county may cause any or all files or records in their official custody to be microphotographed or otherwise reproduced on film as in the case of original filings or recordings or both. Every reproduction shall be deemed and considered an original.

(5) The indexes now required by law to be maintained by the clerk of court and other offices shall continue to apply and be in force in Calhoun County.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of March, 1965.

(R220, S190)

No. 159

An Act To Create The Orangeburg County Economic Opportunity Commission And To Prescribe Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Orangeburg County Economic Opportunity Commission created.—There is hereby created the Orangeburg County Economic Opportunity Commission.

SECTION 2. To be corporate body.—The commission is hereby declared to be a body politic and corporate and shall exercise and enjoy all the rights and privileges of such.

SECTION 3. Members and compensation.—The commission shall be composed of eleven members who shall be appointed by the Governor upon the recommendation of the legislative delegation. The members of the commission shall serve without compensation.

SECTION 4. Terms and vacancies.—The terms of office of the members of the commission shall be for two years or until their successors are appointed and qualify. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor. Of the initial appointees, five shall serve for one year.

SECTION 5. Officers.—Immediately upon the appointment of the commission, it shall organize by electing one of its members as chairman, a second as vice chairman and a third as secretary and treasurer. The commission shall file a record of its members in the office of the Clerk of Court for Orangeburg County.

SECTION 6. Powers and dutes.—The commission shall be responsible for the improvement of communication and cooperation among existing and future programs and the administration of one or more new programs designed to improve the health, education, welfare, housing or employment of the residents of Orangeburg County. To this end the commission shall be empowered as follows:

(a) to sue and be sued;

(b) to adopt, use and alter a corporate seal;

(c) to make bylaws for the management and regulation of its affairs;

(d) to appoint agents, employees and servants, to prescribe their duties, to fix their compensation, to determine if and to what extent they shall be bonded for the faithful performance of their duties;

(e) to undertake the improvement of communication and cooperation among existing and future programs administered by federal, state, county and municipal governmental agencies and private nonprofit organizations designed to improve the health, education, welfare, housing or employment of the county residents and, with the consent of such agencies and organizations, to coordinate same;

(f) to enter into contracts and agreements for performance of its programs and duties with federal, state, county and municipal governmental agencies and subdivisions thereof, and private nonprofit organizations;

(g) to accept and receive funds for the performance of its duties in the administration of its programs from such governmental agencies and subdivisions thereof and private nonprofit organizations, as well as any other sources;

(h) to designate an executive committee from among the members of the commission to which may be delegated one or more duties and responsibilities of the commission and, from time to time, to appoint one or more subcommittees composed of residents of Orangeburg County to advise and assist in the administration of its program and the performance of its duties;

(i) to maintain adequate accounts and records of its activities, receipts and expenses in conformance with requirements of any contract or agreement with any federal, state, county or municipal governmental agency, or subdivision thereof, or any private nonprofit organization; and

(j) to acquire, own or hold in trust, preserve, restore, maintain or lease property, facilities and equipment reasonably necessary for the performance of its duties and the administration of its programs.

SECTION 7. Exempt from taxes.—All property of the commission shall be exempt from all ad valorem taxes levied by Orangeburg County or any municipality therein, or any division, subdivision or agency thereof, directly or indirectly.

SECTION 8. Fiscal year and audit.—The commission shall conduct its affairs on the fiscal year basis employed by Orangeburg County. As shortly after the close of its fiscal year as may be practicable, an audit of its affairs shall be made by a certified public

accountant in good standing, to be designated by the commission. Copies of such audit, incorporated into an annual report of the commission, shall be filed with the Orangeburg County Legislative Delegation.

SECTION 9. Contracts not to be impaired.—The right to alter, amend or rescind this act is hereby expressly reserved and disclosed, but no such amendment or repeal shall operate to impair the operation of any contract otherwise made by the authority pursuant to any power conferred by this act.

SECTION 10. County not to be obligated without consent.—The commission shall have no power to obligate Orangeburg County for the payment of any sums whatsoever without the written consent of the majority of the Orangeburg County Legislative Delegation.

SECTION 11. When action may be taken.—Any action required of the commission may be taken at any regular or special meeting, and at such meeting a majority of the members shall constitute a quorum.

SECTION 12. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of March, 1965.

(R221, S194)

No. 160

An Act To Provide For A Mayor, Councilmen And City Manager For The City Of Anderson In Anderson County, To Establish The Terms Of Office Of The Mayor And City Councilmen And The Salary, Powers And Duties Of The City Manager.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. City of Anderson to have mayor and eight councilmen.—The City of Anderson in Anderson County shall have a City Council to be composed of a mayor and eight councilmen. They shall be elected by the qualified voters of the city at large, and shall serve for terms of two years and until their successors are duly elected and qualify.

SECTION 2. City manager to be employed.—The City Council shall employ a city manager who shall be paid such salary as the

council may deem advisable. The city manager shall have such powers and authority as are assigned by the city council specifically including, but not restricted to, all administrative and routine matters and such other duties as may be assigned to him by the council.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of March, 1965.

(R222, H1052) **No. 161**

An Act To Provide For The Establishment Of The Office Of Ministerial Recorder In Certain Municipalities And To Repeal Sections 15-1058 Through 15-1058.3, 15-1081 Through 15-1084 Of The 1962 Code And Act No. 888 Of 1964, Relating To The Office Of Ministerial Recorder For The Cities Of Columbia, Rock Hill And Cayce.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Offices of ministerial recorder may be established in certain municipalities.—The mayor and council of any municipality having a recorder's court may establish the office of ministerial recorder and elect a ministerial recorder who shall hold office at the pleasure of the council. The salary of the ministerial recorder shall be fixed by the mayor and councilmen of such municipality. Before entering upon the discharge of the duties of the office of ministerial recorder, the person elected shall take and prescribe to the usual oath of office.

SECTION 2. Powers.—Ministerial recorders shall have power to issue summonses, subpoenas, arrest warrants and search warrants in all cases arising under the ordinances of the municipality in which the office is created and in criminal cases as are now conferred by law upon magistrates but shall have no other judicial power.

SECTION 3. Repeal.—Sections 15-1058 through 15-1058.3, 15-1081 through 15-1084 of the 1962 Code and Act No. 888 of 1964 are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of March, 1965.

(R224, H1402)

No. 162

An Act Declaring Certain Vehicles In Lee County To Be Emergency Vehicles.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Certain vehicles in Lee County designated as emergency vehicles.—Vehicles of rural fire departments and vehicles of individual members of rural fire departments in Lee County, while traveling to fires or reported fires, are designated and shall be deemed to be authorized emergency vehicles.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of March, 1965.

(R227, S153)

No. 163

An Act To Create The Florence County Economic Opportunity Commission And To Prescribe Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Florence County Economic Opportunity Commission created.—There is hereby created the Florence County Economic Opportunity Commission.

SECTION 2. To be corporate body.—The commission is hereby declared to be a body politic and corporate and shall exercise and enjoy all the rights and privileges of such.

SECTION 3. Members and compensation.—The commission shall be composed of thirteen members who shall be appointed by the Governor upon the recommendation of the legislative delegation. The members of the commission shall serve without compensation.

SECTION 4. Terms and vacancies.—The terms of office of the members of the commission shall be for two years and until their successors are appointed and qualify. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor. Of the initial appointees, six shall serve for one year.

SECTION 5. Officers.—Immediately upon the appointment of the commission, it shall organize by electing one of its members chairman, a second vice chairman and a third secretary and treasurer. The commission shall file a record of its members in the office of the Clerk of Court for Florence County.

SECTION 6. Powers and duties.—The commission shall be responsible for the improvement of communication and cooperation among existing and future programs and the administration of one or more new programs designed to improve the health, education, welfare, housing or employment of the residents of Florence County. To this end the commission shall be empowered as follows:

(a) to sue and be sued;

(b) to adopt, use and alter a corporate seal;

(c) to make bylaws for the management and regulation of its affairs;

(d) to appoint agents, employees and servants, to prescribe their duties, to fix their compensation, to determine if and to what extent they shall be bonded for the faithful performance of their duties;

(e) to undertake the improvement of communication and cooperation among existing and future programs administered by federal, state, county and municipal governmental agencies and private nonprofit organizations designed to improve the health, education, welfare, housing or employment of the county residents and, with the consent of such agencies and organizations, to coordinate same;

(f) to enter into contracts and agreements for performance of its programs and duties with federal, state, county and municipal governmental agencies and subdivisions thereof, and private nonprofit organizations;

(g) to accept and receive funds for the performance of its duties in the administration of its programs from such governmental agencies and subdivisions thereof and private nonprofit organizations, as well as any other sources;

(h) to designate an executive committee from among the members of the commission to which may be delegated one or more duties and responsibilities of the commission and, from time to time, to appoint one or more subcommittees composed of residents of Florence County to advise and assist in the administration of its program and the performance of its duties;

(i) to maintain adequate accounts and records of its activities, receipts and expenses in conformance with requirements of any con-

tract or agreement with any federal, state, county or municipal governmental agency, or subdivision thereof, or any private nonprofit organization; and

(j) to acquire, own or hold in trust, preserve, restore, maintain or lease property, facilities and equipment reasonably necessary for the performance of its duties and the administration of its programs.

SECTION 7. Exempt from taxes.—All property of the commission shall be exempt from all ad valorem taxes levied by Florence County or any municipality therein, or any division, subdivision or agency thereof, directly or indirectly.

SECTION 8. Fiscal year and audit.—The commission shall conduct its affairs on the fiscal year basis employed by Florence County. As shortly after the close of its fiscal year as may be practicable, an audit of its affairs shall be made by a certified public accountant in good standing, to be designated by the commission. Copies of such audit, incorporated into an annual report of the commission, shall be filed with the Florence County Legislative Delegation.

SECTION 9. Contracts not to be impaired.—The right to alter, amend or rescind this act is hereby expressly reserved and disclosed, but no such amendment or repeal shall operate to impair the operation of any contract otherwise made by the authority pursuant to any power conferred by this act.

SECTION 10. When action may be taken.—Any action required of the commission may be taken at any regular or special meeting, and at such meeting a majority of the members shall constitute a quorum.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of April, 1965.

(R228, S172) **No. 164**

An Act To Create the Dillon County Development Board; To Provide For Its Governing Board; And To Define Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Dillon County Development Board created.—There is hereby created the Dillon County Development Board, the members of which shall be appointed by the Governor upon the recommendation of a majority of the legislative delegation, including the Senator, from a group of persons submitted by the Board of Directors of the Dillon County Chamber of Commerce.

SECTION 2. Members—terms—vacancies.—The board shall consist of eleven members, three of whom shall be from the Lake View area, three of whom shall be from the Latta area and five of whom shall be from the Dillon area. Their terms shall be for three years; *provided,* however, that the terms of those initially appointed shall be staggered so that for the first three years one member from each area shall serve for one year, a second for two years and a third for three years, with a new member from each area appointed at the end of each such period for a full three-year term. The remaining two members from the Dillon area shall be appointed for a full three-year term. During the first three years or thereafter, a member may be appointed to succeed himself for a three-year term. Vacancies shall be filled in the manner of the original appointment for the unexpired portion of the term.

SECTION 3. Duties.—The function of the board shall be to encourage the location of industry and the tourist trade and the promotion of adequate markets for the products grown by the farmers of Dillon County through the institution of an advertising program, through cooperative efforts with municipalities of the county and organizations having similar aims, and through such other activities as will tend to accomplish the purposes of the board.

SECTION 4. Officers—compensation.—The board shall elect from its membership such officers as it deems necessary and may, in its discretion, employ a director, whose salary, if any, shall be fixed in the annual county appropriations act. The board shall elect from its membership a treasurer who shall be bonded at least to the extent of any fund handled. The members of the board shall serve without compensation but shall be allowed such per diem and mileage as provided by law for boards, commissions and committees.

SECTION 5. Cooperate with other agencies.—For the purpose of carrying out the provisions of this act, the board is authorized to cooperate with the State Development Board and with all towns, chambers of commerce, business leagues, civic clubs and other similar

organizations in Dillon County and all other agencies and organizations within and without the county which the board may desire to cooperate with in the furtherance of the development and advertisement of Dillon County.

SECTION 6. Gifts and grants.—The board may accept gifts and grants of money from either private or public sources to be used in the promotion of its program.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of April, 1965.

(R229, S197) **No. 165**

An Act Making It Unlawful To Start Fires In Forestry District No. 3 (Allendale) Except Under Certain Conditions And Providing Penalties For Violations.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Unlawful to start fires in Forestry District No. 3.—It shall be unlawful for any owner or lessee of land or any employee of any such owner or lessee or other person to start, or cause to be started, any fire in any woodlands, brushlands, grasslands, ditchbanks, or hedgerows or in any debris, leaves or other flammable material adjacent thereto in Forestry District No. 3 (Allendale), except under the following conditions:

(a) Proper notification shall be given to the State Forester, or his duly authorized representative or other persons designated by the State Forester. The notice shall contain all information required by the State Forester or his representative.

(b) The person shall have cleared around the area and have immediately available sufficient equipment and personnel to adequately secure fire and prevent its spread.

(c) The person starting the burning shall supervise carefully any fire started and have it under control prior to leaving the area.

SECTION 2. Exemptions.—The provisions of this act shall not apply to fires which may be started within the corporate limits of any town or city, nor to fires started on rights of way of railroads

by their duly authorized employees to remove fire hazards unless the State Forester, or his represntative, after investigation shall notify such railroad that its practices are disapproved on account of the failure to exercise such safeguards against the spread of fire.

SECTION 3. No burning during emergencies.—No burning shall be carried out during any period which the Governor has declared that an emergency exists in connection with forest fires.

SECTION 4. State Forester may prohibit starting of fires.—The State Forester may direct at any time, when deemed necessary in the interest of public safety, that fire or fires covered by this act not be started.

SECTION 5. Penalties.—Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not less than ten dollars, nor more than one hundred dollars or imprisoned for not less than ten days, nor more than thirty days. For any second or subsequent offense a fine of not less than twenty-five dollars, nor more than five hundred dollars or imprisonment for not more than one year may be imposed in the discretion of the court.

SECTION 6. Time effective.—This act shall take effect upon its approval by the Governor.

Approved the 1st day of April, 1965.

(R231, S195) **No. 166**

An Act To Provide For The Appointment Of A Deputy County Treasurer For Dillon County And To Authorize The Dillon County Treasurer To Make Certain Refunds.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Deputy treasurer may be appointed for Dillon County.—If the Dillon County treasurer becomes unable to perform the duties of his office, a deputy county treasurer may be appointed by the Governor, upon the recommendation of a majority of the Dillon County Legislative Delegation. The deputy treasurer shall exercise all powers and duties now devolved upon the county treasurer until such time as such treasurer is able to resume the

duties of his office. Any such delegation of authority shall in no way relieve the treasurer of responsibility or liability under his bond. The deputy shall execute a bond payable to the county treasurer for the proper performance of his duties in the same amount required of the treasurer. The deputy shall receive such compensation as may be provided for in the annual county appropriation act.

SECTION 2. Treasurer may make certain refunds.—Whenever it shall appear to the satisfaction of the Dillon County treasurer that any taxes have been erroneously, improperly or illegally collected, he may refund any such money to the person from whom it was unjustly collected.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of April, 1965.

(R233, H1284) **No. 167**

An Act To Limit The Liability Of A Fiduciary Under Certain Circumstances.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Liability of certain fiduciaries limited.—Whenever a trust instrument reserves unto the trustor, or vests in an advisory or investment committee or in any other person or persons, including a co-trustee, to the exclusion of the trustee or to the exclusion of one or more of several trustees, authority to direct the making or retention of investments or of any investment, the excluded trustee or co-trustee shall be liable, if at all, only as a ministerial agent and shall not be liable as trustee or co-trustee for any loss resulting from the making or retention of any investment pursuant to such authorized direction.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of April, 1965.

(R234, H1292) **No. 168**

An Act To Amend Item (a) Of Section 13.15 Of Act No. 847 Of 1962, Relating To Foreign Corporations Doing Business In This State Without Authority, So As To Provide An Additional Penalty For Such Corporations.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Item (a) of Section 13.15 of Act 847 of 1962 amended—penalties.—Item (a) of Section 13.15 of Act No. 847 of 1962 is amended by adding after the first sentence the following: "In addition, such corporation shall be liable to a fine of ten dollars per day for each day it fails to pay such fees, penalties and franchise taxes." The item when amended shall read as follows:

"(a) A foreign corporation which does business in this State without authority shall be liable to this State for all fees, penalties, and franchise taxes for the years or parts thereof during which it did business in this State without authority. In addition, such corporation shall be liable to a fine of ten dollars per day for each day it fails to pay such fees, penalties and franchise taxes. The Attorney General shall bring proceedings to recover all such amounts due under the provisions of this section."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of April, 1965.

(R236, H1329) **No. 169**

An Act To Provide That Audio-Visual Equipment Be Furnished By The State Department Of Education, And To Repeal Section 21-473, Code Of Laws Of South Carolina, 1962, Authorizing The State Schoolbook Commission To Furnish Audio-Visual Equipment.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Furnishing of audio-visual equipment to schools.—The State Department of Education shall provide audio-visual equipment, including films and motion-picture projectors, for the use in

the free public schools of the State on either the State rental plan or the library purchase plan.

SECTION 2. Section 21-473 repealed.—Section 21-473 of the Code of 1962 is hereby repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of April, 1965.

(R237, H1386)

No. 170

An Act To Amend Section 27-422, Code Of Laws Of South Carolina, 1962, As Amended, Relating To Fees In Worthless Check Cases In Certain Counties, So As To Remove Beaufort County From The Provisions Thereof; And To Provide For The Collection And Disposition Of Worthless Check Fees In Beaufort County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Item (1) of Section 27-422 amended—fees in worthless check cases—not applicable to Beaufort County.—Item (1) of Section 27-422 of the Code of 1962, as amended, is further amended by striking on line one "Beaufort" so that, when so amended, the item shall read:

"(1) In Abbeville, Bamberg, Chester, Clarendon, Colleton, Darlington, Georgetown, Lexington, Spartanburg, Williamsburg and York Counties, magistrates one dollar, constables one dollar and the sheriff in Georgetown County only one dollar, and mileage as in all cases provided in item (10) of Section 27-451; and"

SECTION 2. Bad check fees in Beaufort County.—In Beaufort County when any case involving prosecution for violation of Section 8-176 of the Code of 1962 is discontinued by settlement or compromise, the magistrate shall charge and receive from the defendant a fee of six dollars, which shall be transmitted to the treasurer and deposited in the general fund.

SECTION 3. Disposition of fees held by magistrates.—Any fees collected because of violations of the provisions of Section 8-176 of the Code of 1962, and now held by the magistrates of Beaufort County,

shall immediately be transmitted to the treasurer and deposited in the general fund.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of April, 1965.

(R238, H1391) **No. 171**

An Act To Create The Chester County Economic Opportunity Commission And To Prescribe Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chester County Economic Opportunity Commission created.—There is hereby created the Chester County Economic Opportunity Commission.

SECTION 2. To be corporate body.—The commission is hereby declared to be a body politic and corporate and shall exercise and enjoy all the rights and privileges of such.

SECTION 3. Members and compensation.—The commission shall be composed of at least seven members who shall be appointed by the Governor upon the recommendation of the legislative delegation. The members of the commission shall serve without compensation.

SECTION 4. Terms and vacancies.—The terms of office of the members of the commission shall be for two years and until their successors are appointed and qualify. In th event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor. Of the initial appointees, three shall serve for one year.

SECTION 5. Officers.—Immediately upon the appointment of the commission, it shall organize by electing from its membership a chairman, a vice chairman and a secretary and treasurer. The commission shall file a record of its members in the office of the Clerk of Court for Chester County.

SECTION 6. Powers and duties.—The commission shall be responsible for the improvement of communication and cooperation among existing and future programs and the administration of one

or more new programs designed to improve the health, education, welfare, housing or employment of the residents of Chester County. To this end the commission shall be empowered as follows:

(a) to sue and be sued;

(b) to adopt, use and alter a corporate seal;

(c) to make bylaws for the management and regulation of its affairs;

(d) to appoint agents, employees and servants, to prescribe their duties, to fix their compensation, to determine if and to what extent they shall be bonded for the faithful performance of their duties;

(e) to undertake the improvement of communication and cooperation among existing and future programs administered by federal, state, county and municipal governmental agencies and private nonprofit organizations designed to improve the health, education, welfare, housing or employment of the county residents and, with the consent of such agencies and organizations, to coordinate the programs;

(f) to enter into contracts and agreements for performance of its programs and duties with federal, state, county and municipal governmental agencies and subdivisions thereof, and private nonprofit organizations;

(g) to accept and receive funds for the performance of its duties in the administration of its programs from such governmental agencies and subdivisions thereof and private nonprofit organizations, as well as any other sources;

(h) to designate an executive committee from among the members of the commission to which may be delegated one or more duties and responsibilities of the commission and, from time to time, to appoint one or more subcommittees composed of residents of Chester County to advise and assist in the administration of its program and the performance of its duties;

(i) to maintain adequate accounts and records of its activities, receipts and expenses in conformance with requirements of any contract or agreement with any federal, state, county or municipal governmental agency, or subdivision thereof, or any private nonprofit organization; and

(j) to acquire, own or hold in trust, preserve, restore, maintain or lease property, facilities and equipment reasonably necessary for the performance of its duties and the administration of its programs.

SECTION 7. Exempt from taxes.—All property of the commission shall be exempt from all ad valorem taxes levied by Chester County or any municipality therein, or any division, subdivision or agency thereof, directly or indirectly.

SECTION 8. Fiscal year and audit.—The commission shall conduct its affairs on the fiscal year basis employed by Chester County. As shortly after the close of its fiscal year as may be practicable, an audit of its affairs shall be made by a certified public accountant in good standing, to be designated by the commission. Copies of such audit, incorporated into an annual report of the commission, shall be filed with the Chester County Legislative Delegation and the office of the Clerk of Court for Chester County.

SECTION 9. Contracts not to be impaired.—The right to alter, amend or rescind this act is hereby expressly reserved and disclosed, but no such amendment or repeal shall operate to impair the operation of any contract otherwise made by the authority pursuant to any power conferred by this act.

SECTION 10. When action may be taken.—Any action required of the commission may be taken at any regular or special meeting, and at such meeting a majority of the members shall constitute a quorum.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of April, 1965.

(R242, H1442)

No. 172

An Act Making It Unlawful To Start Fires In Forestry District No. 1, Abbeville County, Except Under Certain Conditions And Providing Penalties For Violations.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Unlawful to start fires in Forestry District 1.—It shall be unlawful for any owner or lessee of land or any employee of any such owner or lessee or other person to start, or cause to be started, any fire in any woodlands, brushlands, grasslands, ditchbanks or hedgerows or in any debris, leaves or other flammable material

adjacent thereto in Forestry District No. 1, Abbeville County, except under the following conditions:

(a) Proper notification shall be given to the State Forester, or his duly authorized representative or other persons designated by the State Forester. The notice shall contain all information required by the State Forester or his representative.

(b) Such persons shall have cleared by plowing, discing or raking around the area and have immediately available sufficient equipment and personnel to adequately secure the fire and prevent its spread.

(c) The person starting the burning shall supervise carefully, in person or by a competent representative, any such fire started and have it under control prior to leaving the area.

SECTION 2. Permission of landowner required.—A lessee of any land, or any employee of any landowner or lessee of land or other person must receive prior authorization from the landowner to conduct such burning, in addition to complying with the other provisions of this act.

SECTION 3. Exemptions.—The provisions of this act shall not apply to fires which may be started within the corporate limits of any municipality having an adequate fire protection department.

SECTION 4. No burning during emergencies.—No burning shall be carried out during any period which the Governor has declared that an emergency exists in connection with forest fires.

SECTION 5. State Forester may prohibit starting of fires.—The State Forester may direct at any time, when deemed necessary in the interest of public safety, that fire covered by this act shall not be started.

SECTION 6. Penalties.—Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than ten dollars nor more than one hundred dollars or be imprisoned for not less than ten days nor more than thirty days. For any second or subsequent offense, a fine of not less than twenty-five dollars nor more than five hundred dollars or imprisonment for not more than one year may be imposed in the discretion of the court.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of April, 1965.

(R243, H1443)

No. 173

An Act To Create The Abbeville County Library.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Abbeville County Library created.—There is hereby created an eleemosynary corporation under the control of the State to be known as the Abbeville County Library which shall have all the powers conferred upon such a corporation by this act and other applicable laws of this State.

SECTION 2. To be managed by board of trustees.—The corporation shall be managed by a board of trustees consisting of seven members, with countywide representation to be appointed by the Abbeville County Legislative Delegation, who shall serve without compensation. The terms of the members shall be for four years and until their successors are appointed and qualify, except of those first appointed three shall serve for two years and four shall serve for four years. Vacancies shall be filled in the manner of the original appointment for the unexpired portion of the term only. Members of the board shall not serve consecutively for more than two terms and shall be subject to removal for cause by the appointing power.

SECTION 3. Officers—bonds—meetings.—The board shall elect a chairman, a vice chairman, a secretary, a treasurer, and such other officers as may be deemed necessary and may make rules and regulations for the conduct of its business, not inconsistent with law. The board may require of its treasurer and librarian a suitable bond for the faithful performance of their respective duties. The board shall meet at least four times annually and hold such other meetings as it deems necessary. Four members shall constitute a quorum for the transaction of business.

SECTION 4. Employ librarian.—The board shall have the exclusive control and management of the Abbeville County Library and shall employ a librarian or librarians qualified by training and experience to conduct and administer public library service and may employ, direct, and discharge any such employees as it may consider advisable, at its pleasure. No member of the board or relative of a board member shall be employed.

SECTION 5. Powers.—The Abbeville County Library may, by way of amplification and classification but without limiting the generality of powers conferred on it by Section 1:

(1) purchase, lease, hold, and dispose of real estate and personal property;

(2) acquire books and other informational material and provide for their circulation throughout all sections of the county;

(3) accept donations of land, services, materials, books and other things for the establishment and equipping of libraries;

(4) enter into agreements for the suitable designation and markings of equipment, rooms, buildings and other library facilities to commemorate the memory of individuals;

(5) cooperate or enter into contracts with any state or federal agency when by so doing it will receive substantial aid in carrying out the purposes of the library;

(6) enter into contracts with other counties to operate regional or joint libraries and facilities; and

(7) generally to do all things necessary and proper to establish, equip, maintain, and operate a county library system.

SECTION 6. Duties.—The board of trustees shall provide and make available to the citizens of Abbeville County good books and informational material. The board shall establish a headquarters library and may establish branches and units in various communities and operate one or more bookmobiles over routes to be determined by the board, acquire books and other informational material, facilities and equipment, and make such rules and regulations, not inconsistent with law, as it may deem necssary to insure the effective and efficient maintenance and operation of a county library system.

SECTION 7. Members not to contract with board.—No member of the board of trustees shall contract with the board and any such attempted contract shall be void.

SECTION 8. Appropriations—audit.—An annual appropriation may be made by the county legislative delegation for the support and maintenance of the county library system to be used as the board may direct; *provided,* that the board shall adequately maintain and operate existing library units without reduction of service by such units. The funds appropriated shall be budgeted over the entire fiscal year and shall be audited each year by the public accountant annually engaged to audit county finances.

SECTION 9. Reports.—The board shall annually, after July first and before September first of each year, make a report of its activi-

ties, showing in summary form its receipts and expenditures, the libraries and bookmobile routes operated by it, the number of books, periodicals and other property owned by it, the character of the service rendered to the people of the county, including the number making use of its service, and such other pertinent facts as would show its activities during the preceding fiscal year. Reports shall be filed in the offices of the clerk of court and the governing board for the county and copies shall be furnished each member of the county legislative delegation.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of April, 1965.

(R247, S95) **No. 174**

An Act To Amend Section 15-411, Code Of Laws Of South Carolina, 1962, Relating To Deputy Judges Of Probate In Laurens And Sumter Counties, So As To Provide For The Appointment Of A Deputy Judge Of Probate In Dillon County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 15-411 amended—deputy judge of probate may be appointed in certain counties.—Section 15-411, Code of Laws of South Carolina, 1962, is amended on line two between the words "of" and "Laurens" by inserting "Dillon," and on line ten between the words "of" and "Laurens" by inserting "Dillon and" and on line eleven by striking the word "County" and inserting "Counties". The section when amended shall read as follows:

"Section 15-411. The judges of probate of Dillon, Laurens and Sumter Counties may each appoint a deputy judge of probate, a record of whose appointment shall be made in the office of the judge. Before entering upon the duties of deputy judge of probate such deputy shall take the oath prescribed by the Constitution and, when so qualified, the deputy may do and perform all of the duties appertaining to the office of his principal. Such appointment shall be evidenced by a certificate thereof, signed by the judge of probate, and shall continue during the pleasure of the judge of probate who made such appointment; *provided, however,* that the probate judge of

Dillon and Laurens Counties shall be responsible for all acts of the deputy appointed by him under the terms of this section."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1965.

(R248, S130) **No. 175**

An Act To Authorize The State Department Of Agriculture To Enter Into Contracts Or Agreements With Other State Agencies And To Provide For The Disposition Of Any Fees Charged.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Department of Agriculture may make agreements with other State agencies.—The State Department of Agriculture is authorized to enter into contracts or agreements with any state agency whereby its personnel and facilities may be utilized by the agency.

If any fees are charged by the agency the agency may retain the amount necessary for administration, not to exceed the sum agreed upon between the agency and the department, and the remainder, if any, shall be transmitted to the State Treasurer and deposited to the account of the Department of Agriculture and shall be utilized by the department for reimbursement of any expenses incurred.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1965.

(R251, S224) **No. 176**

An Act To Amend The Code Of Laws Of South Carolina, 1962, By Adding Section 43-757, So As To Provide For The Bonding Of Magistrates In Edgefield County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 43-757 added—magistrates in Edgefield County to be bonded.—The Code of Laws of South Carolina, 1962, is amended by adding Section 43-757, to read as follows:

"Section 43-757. No person shall be commissioned and qualified to discharge the duties and exercise the powers as magistrate in and for Edgefield County until he shall have first entered into and caused to be filed in the office of the clerk of court of the county bond to the State in the sum of one thousand dollars. The bond shall be conditioned for the faithful performance and discharge of the duties of such officers, with surety to be approved by the governing body of the county, the terms, form and execution thereof to be approved by the Attorney General. The premiums on all such bonds shall be paid by the county."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1965.

(R252, H1023)

No. 177

An Act To Amend Section 23-358 Of The 1962 Code, Relating To Ballots Which Shall Not Be Counted, So As To Redefine The Procedure To Be Used To Determine Whether Or Not Ballots Found In The Wrong Box Shall Be Counted.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 23-358 amended—counting of ballots found in wrong box.—Section 23-358 of the 1962 Code is amended by striking the first sentence in its entirety and inserting in lieu thereof the following: "If ballots shall be found on opening the box, upon which shall appear the name of an office or the name of a person in connection with an office other than that for which the box in which such ballot is found shall be designated and labeled, these ballots shall be counted, if in counting the ballots for that office the number of ballots does not exceed the number of names on the poll list. If the number of names on the poll list is exceeded by counting all of the ballots, then none of the ballots for that office found in the incorrect box shall be counted." The section when amended shall read as follows:

"Section 23-358. If ballots shall be found on opening the box, upon which shall appear the name of an office or the name of a person in connection with an office other than that for which the box in

which such ballot is found shall be designated and labeled, these ballots shall be counted, if in counting the ballots for that office the number of ballots does not exceed the number of names on the poll list. If the number of names on the poll list is exceeded by counting all of the ballots, then none of the ballots for that office found in the incorrect box shall be counted. If, in counting, two or more like ballots shall be found folded together compactly, only one shall be counted. The other shall be destroyed. But if they bear different names, all shall be destroyed and none counted."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1965.

(R253, H1318) **No. 178**

An Act To Authorize Corporations To Treat Certain Persons As Absolute Owners Of Shares Of Stock And Other Securities.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Certain survivors to be treated as owners of stock and other securities.—A corporation may treat as absolute owner of shares or other securities the survivor or survivors of persons to whom the same have been or may be issued with the words "as joint tenants with right of survivorship" or "as joint tenants with right of survivorship and not as tenants in common" following their names, upon the death of one or more of such persons.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1965.

(R254, H1343) **No. 179**

An Act To Amend Section 8-52, Code Of Laws Of South Carolina, 1962, As Amended, Relating To The State Board Of Bank Control, So As To Further Provide For The Composition Of The Board.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 8-52 amended—membership of board.—Section 8-52, Code of Laws of South Carolina, 1962, as amended, is further amended by striking "five" on line two and inserting in lieu thereof "six", by striking "four" on line three and inserting in lieu thereof "five", and by striking "one" on line six and inserting in lieu thereof "two". The section when amended shall read as follows:

"Section 8-52. The State Board of Bank Control shall be composed of six members, one of whom shall be the State Treasurer as an ex officio member, who shall be chairman. The remaining five members shall be appointed by the Governor. Three shall be engaged in commercial banking and recommended by the State Bankers' Association and two shall be engaged in the building and loan association business and recommended by the State Savings and Loan League."

SECTION 2. Term of additional member.—The term of the member to be appointed pursuant to the provisions of this act shall expire June 30, 1966, thereafter his successor shall be appointed for a term of four years.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1965.

(R255, H1358) **No. 180**

An Act To Amend Section 22-6, Code Of Laws Of South Carolina, 1962, Relating To The Display Of The United States Flag, So As To Provide For The Display Of The State Flag.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 22-6 amended—display of flags at educational institutions.—Section 22-6, Code of Laws of South Carolina, 1962, is amended on line four by inserting "and the display of the State flag" between the words "America" and "on" and on line seven by inserting "and the State flag" between the words "America" and "at". The section when amended shall read as follows:

"Section 22-6. The State Superintendent of Education shall make such rules and regulations, not inconsistent with the National Flag Code, for the display of the flag of the United States of America and the display of the State Flag on the grounds of educational institutions supported, in whole or in part, by funds derived from this State. The person at the head of any educational institution in the State shall display the flag of the United States of America and the State flag at such times and at such places and under such restrictions and rules as he may be directed to observe by the State Superintendent of Education."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1965.

(R256, H1366) **No. 181**

An Act To Create The Pickens County Economic Opportunity Commission And To Prescribe Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Pickens County Economic Opportunity Commission created.—There is hereby created the Pickens County Economic Opportunity Commission.

SECTION 2. To be corporate body.—The commission is hereby declared to be a body politic and corporate and shall exercise and enjoy all the rights and privileges of such.

SECTION 3. Members and compensation.—The commission shall be composed of seven members. The members shall be residents of the county and shall be appointed by the Governor upon recommendation of a majority of the county legislative delegation. Members shall be selected on a basis fairly representative of the residents of the county and of the agencies in the county engaged in improvement of the health, education, welfare, housing, employment and library services of and for the residents of the county. The members of the commission shall serve without compensation.

SECTION 4. Terms and vacancies.—The term of office of the appointive members of the commission shall be two years or until

their successors are appointed and qualify. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor.

SECTION 5. Officers.—Immediately upon the appointment of the commission, it shall organize by electing one of its members as chairman, a second as vice chairman, a third as secretary and a fourth as treasurer. The officers of the commission shall hold office for terms of one year and until their successors shall be chosen and qualify. The commission shall file a record of its members and their respective terms in the office of the clerk of court for Pickens County.

SECTION 6. Powers and duties.—The commission shall be responsible for the improvement of communication and cooperation among existing and future programs and the administration of one or more new programs designed to improve the health, education, welfare, housing, employment and library services of the residents of Pickens County. To this end the commission shall be empowered as follows:

(a) To sue and be sued;

(b) To adopt, use and alter a corporate seal;

(c) To make bylaws for the management and regulation of its affairs;

(d) To appoint agents, employees and servants, to prescribe their duties, to fix their compensation, to determine if and to what extent they shall be bonded for the faithful performance of their duties;

(e) To undertake the improvement of communication and cooperation among existing and future programs administered by federal, state, county and municipal governmental agencies and private nonprofit organizations designed to improve the health, education, welfare, housing, employment and library services of the county residents and, with the consent of such agencies and organizations, to coordinate same;

(f) To enter into contracts and agreements for performance of its programs and duties with federal, state, county and municipal governmental agencies and subdivisions thereof, and private nonprofit organizations;

(g) To accept and receive funds for the performance of its duties in the administration of its programs from such governmental agencies

and subdivisions thereof and private nonprofit organizations, as well as any other sources;

(h) To designate an executive committee from among the members of the commission to which may be delegated one or more duties and responsibilities of the commission and, from time to time, to appoint one or more subcommittees composed of residents of Pickens County to advise and assist in the administration of its program and the performance of its duties;

(i) To maintain adequate accounts and records of its activities, receipts and expenses in conformance with requirements of any contract or agreement with any federal, state, county or municipal governmental agency, or subdivision thereof, or any private nonprofit organization; and

(j) To acquire, own or hold in trust, preserve, restore, maintain or lease property, facilities and equipment reasonably necessary for the performance of its duties and the administration of its programs.

SECTION 7. Exempt from taxes.—All property of the commission shall be exempt from all ad valorem taxes levied by Pickens County or municipality therein, or any division, subdivision or agency thereof, directly or indirectly.

SECTION 8. Fiscal year and audit.—The commission shall conduct its affairs on the fiscal year basis employed by Pickens County. As shortly after the close of its fiscal year as may be practicable, an audit of its affairs shall be made by a certified public accountant in good standing, to be designated by the commission. Copies of such audit, incorporated into an annual report of the commission, shall be filed with the senator, the secretary of the house delegation and the office of the clerk of court for Pickens County.

SECTION 9. Contracts not to be impaired.—The right to alter, amend or rescind this act is hereby expressly reserved and disclosed, but no such amendment or repeal shall operate to impair the operation of any contract otherwise made by the authority pursuant to any power conferred by this act.

SECTION 10. When action may be taken.—Any action required of the commission may be taken at any regular or special meeting, and at such meeting a majority of the members shall constitute a quorum.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1965.

(R257, H1389) **No. 182**

An Act To Amend Section 28-935, Code Of Laws Of South Carolina, 1962, As Amended, Relating To License Tax On Fishing Appliances, So As To Exempt Certain Crab Pots And Include Crab Trotlines.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 28-935 amended—license taxes on fishing appliances.—Section 28-935, Code of Laws of South Carolina, 1962, as amended, is further amended by adding at the end of Item (4): "*provided,* however, any person may set not more than one crab pot, with his name attached thereto, for his personal benefit without obtaining a license;" by inserting a new item after Item (4) as follows:

"(5) Crab trotlines, three dollars each;" and by renumbering the remaining items to conform. When so amended, the section shall read:

"Section 28-935. The following license tax is hereby levied annually upon the different fishing appliances, except sturgeon nets, used in the waters of this State:

(1) Anchor gill nets, stake gill nets, drift gill nets and beach seines, two dollars for each one hundred yards or fraction thereof;

(2) Trap nets, floating, one dollar and fifty cents each;

(3) Submerged trap nets, three dollars each;

(4) Crab pots, six dollars a hundred or fraction thereof; *provided,* however, any person may set not more than one crab pot, with his name attached thereto, for his personal benefit without obtaining a license;

(5) Crab trotlines, three dollars each;

(6) Shrimp trawl nets, five dollars each;

(7) Purse seine nets, five dollars each; and

(8) For any apparatus used and not above enumerated, other than cast nets, hook and line and oyster grabs and tongs, the license

shall be the same as that provided for the apparatus or appliance which it most resembles."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1965.

(R258, H1403)

No. 183

An Act To Create The Sumter County Economic Opportunity Commission And To Prescribe Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Sumter County Economic Opportunity Commission created.—There is hereby created the Sumter County Economic Opportunity Commission.

SECTION 2. To be corporate body.—The commission is hereby declared to be a body politic and corporate and shall exercise and enjoy all the rights and privileges of such.

SECTION 3. Members and compensation.—The commission shall be composed of five members who shall be appointed by the Governor upon the recommendation of the legislative delegation. The members of the commission shall serve without compensation.

SECTION 4. Terms and vacancies.—The terms of office of the members of the commission shall be for two years and until their successors are appointed and qualify. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor. Of the initial appointees, two shall serve for one year.

SECTION 5. Officers.—Immediately upon the appointment of the commission, it shall organize by electing one of its members as chairman, a second as vice chairman and a third as secretary and treasurer. The chairman shall file a record of the members in the office of the Clerk of Court for Sumter County.

SECTION 6. Powers and duties.—The commission shall be responsible for the improvement of communication and cooperation among existing and future programs and the administration of one

or more new programs designed to improve the health, education, welfare, housing or employment of the residents of Sumter County. To this end the commission shall be empowered as follows:

(a) to sue and be sued;

(b) to adopt, use and alter a corporate seal;

(c) to make bylaws for the management and regulation of its affairs;

(d) to appoint agents, employees and servants, to prescribe their duties, to fix their compensation, to determine if and to what extent they shall be bonded for the faithful performance of their duties;

(e) to undertake the improvement of communication and cooperation among existing and future programs administered by federal, state, county and municipal governmental agencies and private nonprofit organizations designed to improve the health, education, welfare, housing or employment of the county residents and, with the consent of such agencies and organizations, to coordinate same;

(f) to enter into contracts and agreements for performance of its programs and duties with federal, state, county and municipal governmental agencies and subdivisions thereof, and private nonprofit organizations;

(g) to accept and receive funds for the performance of its duties in the administration of its programs from such governmental agencies and subdivisions thereof and private nonprofit organizations, as well as any other sources;

(h) to designate an executive committee from among the members of the commission to which may be delegated one or more duties and responsibilities of the commission and, from time to time, to appoint one or more sub-committees composed of residents of Sumter County to advise and assist in the administration of its program and the performance of its duties;

(i) to maintain adequate accounts and records of its activities, receipts and expenses in conformance with requirements of any contract or agreement with any federal, state, county or municipal governmental agency, or subdivision thereof, or any private nonprofit organization; and

(j) to acquire, own or hold in trust, preserve, restore, maintain or lease property, facilities and equipment reasonably necessary for the performance of its duties and the administration of its programs.

SECTION 7. Exempt from taxes.—All property of the commission shall be exempt from all ad valorem taxes levied by Sumter

County or any municipality therein, or any division, subdivision or agency thereof, directly or indirectly.

SECTION 8. Fiscal year and audit.—The commission shall conduct its affairs on the fiscal year basis employed by Sumter County. As shortly after the close of its fiscal year as may be practicable, an audit of its affairs shall be made by a certified public accountant in good standing, to be designated by the commission. Copies of such audit, incorporated into an annual report of the commission, shall be filed with the Sumter County Legislative Delegation.

SECTION 9. County not to be obligated without consent.—The commission shall have no power to obligate Sumter County for the payment of any sums whatsoever without the written consent of the majority of the Sumter County Legislative Delegation, including the Senator.

SECTION 10. Contracts not to be impaired.—The right to alter, amend or rescind this act is hereby expressly reserved and disclosed, but no such amendment or repeal shall operate to impair the operation of any contract otherwise made by the authority pursuant to any power conferred by this act.

SECTION 11. When action may be taken.—Any action required of the commission may be taken at any regular or special meeting, and at such meeting a majority of the members shall constitute a quorum.

SECTION 12. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1965.

(R259, H1450)

No. 184

An Act To Provide That No Copy Of A Chattel Mortgage Shall Be Accepted For Recording In Charleston County Unless It Is Clear And Legible.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Illegible chattel mortgages not to be recorded in Charleston County.—No copy of a chattel mortgage shall be accepted

for recording by the Register of Mesne Conveyance of Charleston County unless it is clear and legible enough to be acceptable for microfilm records. The decision of the Register of Mesne Conveyance as to acceptability shall be final.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1965.

(R260, H1453) **No. 185**

An Act Providing That The Town Of Cordova In Orangeburg County Shall Have A Mayor And Four Councilmen To Serve For Terms Of Four Years.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Town officials for Cordova.—The town of Cordova in Orangeburg County shall have a mayor and four councilmen who shall be elected for terms of four years.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1965.

(R261, H1455) **No. 186**

An Act To Amend Section 21-3074, Code Of Laws Of South Carolina, 1962, As Amended, Relating To The Tax Levy For The Horry County Higher Education Commission, So As To Increase Such Tax From Three To Four Mills.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 21-3074 amended—tax levy.—Section 21-3074, Code of Laws of South Carolina, 1962, as amended, is further amended by striking the word "three" on lines twelve and eighteen and inserting in lieu thereof the word "four" so that when amended the section shall read as follows:

"Section 21-3074. By legislation in pari materia, provision has been made for the issuance of four hundred thousand dollars of general obligation bonds of Horry County to provide funds to the Commission to enable it to construct and equip a suitable building on a tract of land acquired by the Commission in Conway Township in Horry County. For the payment of such bonds, the full faith and credit of Horry County has been pledged, and there is required to be levied and collected by the Auditor and Treasurer of Horry County a tax ad valorem without limit as to rate, sufficient to provide for the payment of the principal and interest of the bonds. Without in any way limiting the generality of the foregoing pledge, the tax to be levied shall in no event be less than four mills, and if any surplus shall remain from the proceeds of the tax after meeting the payment of the principal and interest on the aforesaid bonds, such surplus, if any, shall be paid over by the treasurer to the Commission to enable it to carry out functions committed to it by this act.

Upon retirement of the bond issue, provided for herein, the Auditor for Horry County shall levy and the Treasurer shall collect four mills upon all taxable property within the county. The proceeds of such levy shall be paid over to the Commission to carry out the functions committed to it by this act."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1965.

(R263, H1456) **No. 187**

An Act To Amend Section 6 of Act 735 Of 1962, Relating To The Darlington County Library Commission, So As To Provide For An Increase In Funds For The Support Of The Library.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 6 of Act 735 of 1962 amended—funds.—Section 6 of Act 735 of 1962 is amended by striking out beginning on line one and on line four the words "one dollar" and inserting the words "two dollars". The section when amended shall read as follows:

"Section 6. There shall be added as costs the sum of two dollars to the amount collected upon the forfeiture of any appearance bond in

a criminal proceeding in any of the magistrate's courts in Darlington County. There shall be added as costs the sum of two dollars to any fine imposed and collected in any such proceeding. There shall be added five per cent as costs to the amount of any criminal fine imposed and collected in the Circuit Court for Darlington County. The foregoing costs, which shall be in addition to any other costs imposed by law, shall be set aside and held by the Treasurer of Darlington County in a special account to be designated as the 'Darlington Court Library Fund'. The treasurer, in setting aside these funds, shall assume that such costs have been collected as a part of each fine or forfeiture remitted. This fund shall be used solely for the maintenance, support and operation of the Darlington Court Library, and shall be paid out by the Treasurer of Darlington County only upon vouchers drawn in the name of the Darlington Court Library Commission and signed by its secretary and chairman."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of April, 1965.

(R264, H1457) **No. 188**

An Act To Create The Williamsburg County Aeronautics Commission.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Williamsburg County Aeronautics Commission created.—There is hereby created a commission for Williamsburg County to be known as "The Williamsburg County Aeronautics Commission" which shall consist of five members who are residents of the county, and who shall be appointed by the Governor upon the recommendation of the county legislative delegation. The terms of office shall be for four years and until their successors are appointed and qualify, except of those first appointed three shall serve for terms of four years, and two shall serve for terms of two years. Any vacancy shall be filled for the unexpired portion of the term in the same manner as appointments are made for the full term. Members of the commission shall receive no compensation for their services. The commission shall select one of its members as chairman.

SECTION 2. Acquisition and use of property.—The commission may acquire by grant, purchase, lease or condemnation real property and rights of way for airports and aeronautical purposes and may so acquire approaches and obstruction rights for airport and aeronautical purposes. The commission may also sell, lease or trade such property and rights as in its opinion are not needed for such purposes. The manner of acquiring property by condemnation shall be as is provided by law for the condemnation of rights of way for road purposes by the State Highway Commission. The commission may receive by gift or donation moneys and other property to be used by it in carrying out the purposes of this act.

SECTION 3. May make agreements for operation of airport.—The commission may lease to the United States of America or to any agency thereof any and all of the property and rights acquired by the commission. The commission may also enter into agreements with the United States of America or any agency thereof relative to the establishment, operation and maintenance of airports and aeronautical fields in Williamsburg County. All such leases and agreements shall be valid and binding upon the commission and the county.

SECTION 4. Rules and regulations.—The commission may promulgate rules or regulations in connection with the operation of airports and may do anything which in their discretion is proper relative to the operation, maintenance or control of airports.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1965.

(R266, H1479)

No. 189

An Act To Increase The Civil Jurisdiction Of Magistrates In Bamberg County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Civil jurisdiction of magistrates in Bamberg County.—Notwithstanding the provisions of Section 43-51 of the Code of 1962, the civil jurisdiction of all magistrates in Bamberg

County shall extend to cases where the amount in controversy does not exceed three hundred dollars. The jurisdiction shall not extend to cases where the title to real estate is in question or to cases in chancery.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1965.

(R268, H1498) **No. 190**

An Act To Require Persons Furnishing Electricity In York County To Furnish A Report To The Auditor Of The County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Persons furnishing electricity in York County to make reports.—Any person who furnishes electricity in York County, except in the City of Rock Hill, shall make a report on forms prepared and furnished by the Auditor of York County of all new electric service connections within the county. The report shall be transmitted to the auditor on or before the tenth of each month.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1965.

(R270, S179) **No. 191**

An Act To Create The Williamsburg County Economic Opportunity Commission And To Prescribe Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Williamsburg County Economic Opportunity Commission created.—There is hereby created the Williamsburg County Economic Opportunity Commission.

SECTION 2. To be corporate body.—The commission is hereby declared to be a body politic and corporate and shall exercise and enjoy all the rights and privileges of such.

SECTION 3. Members and compensation.—The commission shall be composed of eleven members who shall be appointed by the Governor upon the recommendation of the legislative delegation. The members of the commission shall serve without compensation.

SECTION 4. Terms and vacancies.—The terms of office of the members of the commission shall be for two years or until their successors are appointed and qualify. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor. Of the initial appointees, five shall serve for one year.

SECTION 5. Officers.—Immediately upon the appointment of the commission, it shall organize by electing one of its members as chairman, a second as vice chairman and a third as secretary and treasurer. The commission shall file a record of its membrs in the office of the Clerk of Court for Williamsburg County.

SECTION 6. Powers and dutes.—The commission shall be responsible for the improvement of communication and cooperation among existing and future programs and the administration of one or more new programs designed to improve the health, education, welfare, housing or employment of the residents of Williamsburg County. To this end the commission shall be empowered as follows:

(a) to sue and be sued;

(b) to adopt, use and alter a corporate seal;

(c) to make bylaws for the management and regulation of its affairs;

(d) to appoint agents, employees and servants, to prescribe their duties, to fix their compensation, to determine if and to what extent they shall be bonded for the faithful performance of their duties;

(e) to undertake the improvement of communication and cooperation among existing and future programs administered by federal, state, county and municipal governmental agencies and private nonprofit organizations designed to improve the health, education, welfare, housing or employment of the county residents and, with the consent of such agencies and organizations, to coordinate same;

(f) to enter into contracts and agreements for performance of its programs and duties with federal, state, county and municipal governmental agencies and subdivisions thereof, and private nonprofit organizations;

(g) to accept and receive funds for the performance of its duties in the administration of its programs from such governmental agencies and subdivisions thereof and private nonprofit organizations, as well as any other sources;

(h) to designate an executive committee from among the members of the commission to which may be delegated one or more duties and responsibilities of the commission and, from time to time, to appoint one or more subcommittees composed of residents of Williamsburg County to advise and assist in the administration of its program and the performance of its duties;

(i) to maintain adequate accounts and records of its activities, receipts and expenses in conformance with requirements of any contract or agreement with any federal, state, county or municipal governmental agency, or subdivision thereof, or any private nonprofit organization; and

(j) to acquire, own or hold in trust, preserve, restore, maintain or lease property, facilities and equipment reasonably necessary for the performance of its duties and the administration of its programs.

SECTION 7. Exempt from taxes.—All property of the commission shall be exempt from all ad valorem taxes levied by Williamsburg County or any municipality therein, or any division, subdivision or agency thereof, directly or indirectly.

SECTION 8. Fiscal year and audit.—The commission shall conduct its affairs on the fiscal year basis employed by Williamsburg County. As shortly after the close of its fiscal year as may be practicable, an audit of its affairs shall be made by a certified public accountant in good standing, to be designated by the commission. Copies of such audit, incorporated into an annual report of the commission, shall be filed with the Williamsburg County Legislative Delegation.

SECTION 9. Contracts not to be impaired.—The right to alter, amend or rescind this act is hereby expressly reserved and disclosed, but no such amendment or repeal shall operate to impair the operation of any contract otherwise made by the authority pursuant to any power conferred by this act.

SECTION 10. When action may be taken.—Any action required of the commission may be taken at any regular or special meeting, and at such meeting a majority of the members shall constitute a quorum.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of April, 1965.

(R271, S217) **No. 192**

An Act To Create The Mitford Rural Water District Of Fairfield And Chester Counties And To Prescribe Its Area And Functions; To Provide For Its Governing Body, Its Terms, Powers And Duties; And To Provide Penalties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Mitford Rural Water District of Fairfield and Chester Counties created.—There is hereby created a body corporate and politic of perpetual succession to be known as the Mitford Rural Water District of Fairfield and Chester Counties (hereinafter called the district). It shall be the purpose and function of the district to acquire, construct and operate a water works system, utilizing therefor water from available sources, by purchase or otherwise, at such convenient points as the district shall select to provide a flow of water through pipes to the areas described in Section 2 of this act, and to such other domestic, commercial or industrial users who can be conveniently and economically served within or without the service area as herein provided. To this end the district shall perform the functions prescribed by this act, and shall be vested with the powers herein granted and all other powers that may be necessary or incidental in carrying out the functions herein prescribed and exercising the powers herein granted. The water mains, distribution facilities, tanks, their several component parts, and all apparatus, equipment and property incident thereto or used or useful in the operation thereof and all additions, improvements, extensions and enlargements to any of them shall be referred to in this act as the system.

SECTION 2. Service area.—The district shall include and be comprised of the following territory which shall be known as the service area:

BEGINNING where Rocky Creek empties into the Catawba River, also being the point where the Chester-Fairfield County line intersects the Catawba River, and proceeding upstream

(Chester County) with the center of Rocky Creek to center of Hodges Branch; thence running upstream with the center of Hodges Branch to a point 1000' west of S. C. Hwy. # 12-53; thence running in a southerly direction 1000' west of and parallel to S. C. Hwy. # 12-53 to a point 1000' (measured perpendicularly) northwest of S. C. Hwy. # 12-75; thence running southwesterly and parallel to and at a distance of 1000' from Hwy. # 12-75 to the Fairfield County line and continuing with same road into Fairfield County (# 20-89) to a point where this line intersects the centerline of Hwy. # 20-52; thence approximately S 18 E about 8,700 feet to the center of the S. C. Hwy. # 200 bridge over Mitford Branch; thence running downstream with the center of Mitford Branch to Wateree Creek; thence with the center of Wateree Creek downstream to the west bank of the Catawba River; thence running upstream with the west bank of the Catawba River to the Chester-Fairfield County Line, being the point of beginning.

SECTION 3. To be managed by board of directors.—The district shall be operated and managed by a board of directors to be known as the Mitford Rural Water District Board of Fairfield and Chester Counties which shall constitute the governing body of the district. The board shall consist of five resident electors of the area who shall be appointed by the Governor, upon the recommendation of a majority of those persons attending a meeting of residents of the area held pursuant to at least one week's notice in a local newspaper giving the time and place of the meeting. The chairman and secretary of the meeting shall certify the names of those recommended to the Governor. The original appointments shall be for a term of two years for two appointees, for four years for two appointees, and for six years for one appointee. All terms after the initial appointments shall be for six years. All appointees shall hold office until their successors shall have been appointed and qualified. The initial terms of office shall begin as of the effective date of this act. Any vacancy shall be filled in like manner as the original appointment for the unexpired portion of the term. Immediately after appointment, the board shall meet and organize by the election of one of its members as chairman, one as vice chairman, one as secretary and one as treasurer. The offices of the secretary and treasurer may be combined in the discretion of the board.

SECTION 4. Powers and duties.—The district, acting through its governing body, is hereby vested with all such powers as may be necessary or incidental to carry out its purposes, functions and responsibilities including, but without limitation, the following:

(1) To have perpetual succession.

(2) To sue and be sued.

(3) To adopt, use and alter a corporate seal.

(4) To define a quorum for meetings.

(5) To maintain a principal office.

(6) To make bylaws for the management and regulation of its affairs.

(7) To build, construct, maintain and operate ditches, tunnels, culverts, flumes, conduits, mains, pipes, dikes, dams and reservoirs.

(8) To build, construct, maintain and operate distribution systems for the distribution of water for domestic or industrial use.

(9) To acquire and operate any type of machinery, appliances or appurtenances, necessary or useful in constructing, operating and maintaining the system.

(10) To contract for or otherwise acquire a supply of water and sell water for industrial or domestic use.

(11) To prescribe rates and regulations under which such water shall be sold for industrial and domestic use.

(12) To enter into contracts of long duration for the sale of water with persons, private corporations, municipal corporations, or public bodies or agencies.

(13) To prescribe such regulations as it shall deem necessary to protect from pollution all water in its pipes, tanks, reservoirs, distribution systems or elsewhere within its system.

(14) To make contracts of all sorts and to execute all instruments necessary or convenient for the carrying on of the business of the district.

(15) To acquire, purchase, hold, use, lease, mortgage, sell, transfer and dispose of any property, real, personal or mixed, or any interest therein.

(16) To make use of county and state highway rights-of-way in which to lay pipes and lines in such manner and under such conditions as the appropriate officials in charge of such rights-of-way shall approve.

(17) Subject always to the limitations of Section 4, Article VIII, of the Constitution of this State, to make use of all the streets and

public ways of an incorporated municipality for the purpose of laying pipes and lines.

(18) To alter and change county and state highways wherever necessary to construct the system under such conditions as the appropriate officials in charge of such highways shall approve.

(19) To exercise the power of eminent domain for any corporate function. The power of eminent domain may be exercised through any procedure prescribed by Sections 25-101 through 25-140 and Sections 33-121 through 33-148, Code of Laws of South Carolina, 1962, as now or hereafter constituted, it being the intent of this provision that further amendments and modifications of these code provisions shall be deemed to amend and revise correspondingly the powers granted by this paragraph. *Provided,* that the power of eminent domain conferred hereunder shall not extend to the property of any public utility that the utility could have acquired under its power of eminent domain.

(20) To appoint officers, agents, employees and servants, to prescribe the duties of such, to fix their compensation and to determine if and to what extent they shall be bonded for the faithful performance of their duties.

(21) To make contracts for construction and other services; *provided,* that such contracts shall be let on competitive bidding and shall be awarded to the lowest responsible bidder.

(22) To borrow money and to make and issue negotiable bonds, notes and other evidences of indebtedness, payable from all or any part of the revenues derived from the operation of its system. The sums borrowed may be those needed to pay all costs incident to the construction and establishment of the system, and any extensions, additions and improvements thereto, including engineering costs, legal costs, construction costs; the sum needed to pay interest during the period prior to which the system, or any extension, addition or improvement thereof, shall be fully in operation; such sum as is needed to supply working capital to place the system in operation; and all other expenses of any sort that the district may incur in establishing, extending or enlarging the system. Neither the full faith and credit of the State of South Carolina, nor Fairfield and Chester Counties, shall be pledged for the payment of the principal and interest of the obligations, and there shall be on the face of each obligation a statement, plainly worded, to that effect. Neither the members of the board, nor any person signing the obligations, shall be personally

liable thereon. To the end that a convenient procedure for borrowing money may be prescribed, the district shall be fully empowered to avail itself of all powers granted by Sections 59-361 through 59-415 and Sections 59-651 through 59-682, Code of Laws of South Carolina, 1962, as now or hereafter constituted, it being the intent of this provision that further amendments and modifications of the code provisions shall be deemed to amend and revise correspondingly the powers granted by this paragraph. In exercising the power conferred upon the district by such code provisions, the district may make or omit all pledges and covenants authorized by any provision thereof, and may confer upon the holders of its securities all rights and liens authorized by law. Notwithstanding contrary provisions in the code, the district may:

(a) Disregard any provision requiring that bonds have serial maturities, and issue bonds in such form and with such maturities as the district shall determine.

(b) Provide that its bonds, notes or other evidence of indebtedness be payable, both as to principal and interest, from the net revenues derived from the operation of its system, as such net revenues may be defined by the district.

(c) Covenant and agree that upon it being adjudged in default as to the payment of any installment of principal or interest upon any obligation issued by it, or in default as to the performance of any covenant or undertaking made by it, in such event the principal of all obligations of such issue may be declared forthwith due and payable, notwithstanding that any of them may not have then matured.

(d) Confer upon a corporation trustee the power to make disposition of the proceeds from all borrowings and of all revenues derived from the operation of the system, in accordance with the resolutions adopted by the authority as an incident to the issuance of any notes, bonds or other types of securities.

(e) Dispose of bonds, notes or other evidence of indebtedness at public or private sale, and upon such terms and conditions as it shall approve.

(f) Make provision for the redemption of any obligations issued by it prior to their stated maturity, with or without premium, and on such terms and conditions as the district shall approve.

(g) Covenant and agree that any cushion fund established to further secure the payment of the principal and interest of any obligation shall be in a fixed amount.

(h) Covenant and agree that no free service will be furnished to any person, municipal corporation, or any subdivision or division of the State.

(i) Prescribe the procedure, if any, by which the terms of the contract with the holders of its obligations may be amended, the number of obligations whose holders must consent thereto, and the manner in which consent shall be given.

(j) Prescribe the events of default and terms and conditions upon which all or any obligations shall become or may be declared due before maturity and the terms and conditions upon which such declarations and their consequences may be waived.

(23) To extend its system or systems, within Fairfield and Chester Counties, beyond the defined limits of the district to provide services to those living outside the district and outside any incorporated municipality when, in the discretion of the board, it is feasible and practicable so to do, in which case any person or agency receiving such service shall be subject to the same rules, regulations and requirements concerning services being received from the district as persons residing within the district. The board may, in its discretion, establish rates and charges higher than those within the district for the extension of its system and the provision of services beyond the limits of the district.

SECTION 5. Rates to be regulated.—The rates charged for services furnished by the system, as constructed, improved, enlarged and extended, shall not be subject to supervision or regulation by any state bureau, board, commission or like instrumentality or agency thereof.

SECTION 6. Exempt from taxes.—(1) Bonds, notes or other evidences of indebtedness issued pursuant to Section 4(22) of this act and interest payable thereon are hereby exempted from any and all State, county, municipal and other taxation whatsoever under the laws of this State, and it shall be plainly stated on the face of each such obligation as follows:

> "The principal of and interest on this (bond, note, or other evidence of indebtedness) are exempted from any and all State, county, municipal and other taxation whatsoever under the laws of the State of South Carolina."

(2) All property of the district shall be exempt from all ad valorem taxes levied by the State, county or any municipality, division, subdivision or agency thereof, direct or indirect.

SECTION 7. Fiscal year, audit and annual report.—The district shall conduct its affairs on the fiscal year basis employed by the State. As shortly after the close of its fiscal year as may be practicable, an audit of its affairs shall be made by certified public accountants of good standing, to be designated by the district. Copies of such audits incorporated into an annual report of the district shall be filed with the Auditor and Treasurer of Fairfield County, and the Auditor and Treasurer of Chester County, and with the secretary to the Legislative Delegation of Fairfield County and Chester County.

SECTION 8. Penalties for unlawful acts.—It shall be unlawful for any person to wilfully injure or destroy, or in any manner hurt, damage, tamper with, or impair the system of the district, or any part thereof, or any machinery, apparatus or equipment of the district, or to pollute the water in any part of its system, or to obtain water therefrom except in accordance with the regulations promulgated by the district. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not less than ten dollars nor more than one hundred dollars, or be imprisoned for not more than thirty days, in the discretion of the court, and shall be further liable to pay all damages by the district.

SECTION 9. Municipalities may purchase water.—The municipalities of Fairfield and Chester Counties and all public bodies and public agencies now or hereafter operating water distribution systems in Fairfield and Chester Counties shall be fully empowered to enter into contracts to buy water from the district. These contracts shall extend over such period of time and shall contain such terms and conditions as shall be mutually agreeable to the district and to the contracting municipality, public body or public agency.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of April, 1965.

(R272, H1211) **No. 193**

An Act To Create And Define The Offense Of Purse Snatching And To Provide A Penalty Therefor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Purse snatching defined—penalty.—Any person who shall snatch suddenly and carry away from the person of another a purse or other thing of value with intent to deprive the owner or person lawfully in possession of such article in circumstances not constituting grand larceny, robbery, or privily stealing from the person shall be guilty of a misdemeanor and shall be punished by imprisonment for not more than two years.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of April, 1965.

(R274, H1306) **No. 194**

An Act To Create The Dillon County Economic Opportunity Commission And To Prescribe Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Dillon County Economic Opportunity Commission created.—There is hereby created the Dillon County Economic Opportunity Commission.

SECTION 2. To be corporate body.—The commission is hereby declared to be a body politic and corporate and shall exercise and enjoy all the rights and privileges of such.

SECTION 3. Members and compensation.—The commission shall be composed of eleven members who shall be appointed by the Governor upon the recommendation of the legislative delegation. Three of the members shall be residents of Latta School District No. 3, three of the members shall be residents of Lake View School District No. 1, and five of the members shall be residents of Dillon School District No. 2. The members of the commission shall serve without compensation.

SECTION 4. Terms and vacancies.—The terms of office of the members of the commission shall be for two years or until their successors are appointed and qualify. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor. Of the initial appointees, five shall serve for one year.

SECTION 5. Officers.—Immediately upon the appointment of the commission, it shall organize by electing one of its members as chairman, a second as vice chairman and a third as secretary and treasurer. The commission shall file a record of its members in the office of the Clerk of Court for Dillon County.

SECTION 6. Powers and duties.—The commission shall be responsible for the improvement of communication and cooperation among existing and future programs and the administration of one or more new programs designed to improve the health, education, welfare, housing or employment of the residents of Dillon County. To this end the commission shall be empowered as follows:

(a) to adopt, use and alter a corporate seal;

(b) to make bylaws for the management and regulation of its affairs;

(c) to appoint agents, employees and servants, to prescribe their duties, to fix their compensation, to determine if and to what extent they shall be bonded for the faithful performance of their duties;

(d) to undertake the improvement of communication and cooperation among existing and future programs administered by federal, state, county and municipal governmental agencies and private nonprofit organizations designed to improve the health, education, welfare, housing or employment of the county residents and, with the consent of such agencies and organizations, to coordinate same;

(e) to enter into contracts and agreements for performance of its programs and duties with federal, state, county and municipal governmental agencies and subdivisions thereof, and private nonprofit organizations;

(f) to accept and receive funds for the performance of its duties in the administration of its programs from such governmental agencies and subdivisions thereof and private nonprofit organizations, as well as any other sources;

(g) to designate an executive committee from among the members of the commission to which may be delegated one or more duties

and responsibilities of the commission and, from time to time, to appoint one or more subcommittees composed of residents of Dillon County to advise and assist in the administration of its program and the performance of its duties;

(h) to maintain adequate accounts and records of its activities, receipts and expenses in conformance with requirements of any contract or agreement with any federal, state, county or municipal governmental agency, or subdivision thereof, or any private nonprofit organization; and

(i) to acquire, own or hold in trust, preserve, restore, maintain or lease property, facilities and equipment reasonably necessary for the performance of its duties and the administration of its programs.

SECTION 7. Exempt from taxes.—All property of the commission shall be exempt from all ad valorem taxes levied by Dillon County or any municipality therein, or any division, subdivision or agency thereof, directly or indirectly.

SECTION 8. Fiscal year and audit.—The commission shall conduct its affairs on the fiscal year basis employed by Dillon County. As shortly after the close of its fiscal year as may be practicable an audit of its affairs shall be made by a certified public accountant in good standing, to be designated by the commission. Copies of such audit, incorporated into an annual report of the commission, shall be filed with the Dillon County Legislative Delegation.

SECTION 9. Contracts not to be impaired.—The right to alter, amend or rescind this act is hereby expressly reserved and disclosed, but no such amendment or repeal shall operate to impair the operation of any contract otherwise made by the authority pursuant to any power conferred by this act.

SECTION 10. When action may be taken.—Any action required of the commission may be taken at any regular or special meeting, and at such meeting a majority of the members shall constitute a quorum.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of April, 1965.

(R276, H1484)

No. 195

An Act To Create The Western Carolina Higher Education Commission, And To Define Its Purpose, Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Western Carolina Higher Education Commission created.—There is hereby created the Western Carolina Higher Education Commission which shall be composed of eight members, two of whom shall be from each of the following counties: Allendale, Bamberg, Barnwell and Hampton. The members shall be appointed by the Governor upon the recommendation of a majority of the legislative delegations from the respective counties. The terms of office shall be for four years and until their successors have been appointed and qualify. *Provided,* one of the commissioners from each county shall be appointed initially for a term of two years.

The commission shall meet as soon as practicable after all appointments have been made and elect such officers and adopt such rules and procedures as it deems desirable to carry out the duties.

The members shall serve without compensation or fees.

SECTION 2. Meetings.—The commission may meet at such times and in such places as the majority of the members deem most desirable. Meetings shall be called by the chairman of the commission; *provided,* that in the event the chairman is unable or unwilling to call a meeting, the commission can be called into session on the written request and signatures of three members.

SECTION 3. Duties.—The commission shall have as its purpose the encouragement of higher education in the respective counties and adjacent areas and, more specifically, the establishment within the area of facilities to offer standard freshman and sophomore college courses, and such other courses as deemed desirable.

SECTION 4. Powers.—To carry out its purpose and objective the commission, with the approval of a majority of its members, may enter into contracts, make binding agreements, negotiate with educators and educational institutions and, generally, take such actions in its name as are necessary to secure for the respective counties and adjacent areas the educational facilities described in Section 3 of this act; *provided,* that the counties shall not be bound nor held liable for any acts of omission or commission of the commission, nor by any

provision of any contract or agreement, expressed or implied, except upon the written approval and consent of a majority of the legislative delegations from the respective counties.

The commission may borrow funds in anticipation of taxes, appropriations, grants or gifts with the prior written approval of a majority of the legislative delegation from each county. The commission may accept grants, gifts or donations and may hold title to real and personal property.

SECTION 5. Educational advisory committees.—To facilitate its work, the commission may appoint from the respective counties, and from such adjacent areas as deemed appropriate, an educational advisory committee consisting of not less than ten nor more than fifteen members, which shall meet and consult with the commission from time to time, as may be required. All members of the educational advisory committee shall serve without compensation or fees.

SECTION 6. Records and report.—The commission shall keep accurate and detailed records of its meetings and actions and shall, as soon after June thirtieth of each year as is feasible, submit a written report to the legislative delegation from each county which shall include an accounting of all funds the commission may have received and disbursed in the twelve months proceding that date.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of April, 1965.

(R278, H1330)

No. 196

An Act To Amend Section 33-221, Code Of Laws Of South Carolina, 1962, Relating To Reserves For Highway Construction Contracts, So As To Provide For Provision Of Reserves From Estimated Revenue Balances Accruing During The Period In Which Payments Are To Become Due.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 33-221 amended—reserves for highway construction contracts.—Section 33-221, Code of Laws of South Carolina, 1962, is amended by striking out under item (c) the words

"set aside for construction in the current fiscal year from estimated revenues as provided for in Section 33-287" and inserting the following "accruing during the period in which payments are to become due on such contracts". The section when amended shall read as follows:

"Section 33-221. The State Highway Department shall not let any highway construction contracts unless reserves for such contracts shall have been provided for out of either (a) current balances in the State Highway Fund, (b) Federal aid obligated for such contracts or (c) estimated revenue balances accruing during the period in which payments are to become due on such contracts; it being the intention of the General Assembly by the enactment of the section that the Department shall not let any highway construction contracts which are contingent upon additional tax revenue legislation or anticipated fund borrowings for the payment of such contracts."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of April, 1965.

(R279, H1380)

No. 197

An Act To Amend Section 33-74.1, Code of Laws of South Carolina, 1962, Relating To Roadside Parks Adjacent To State Highways, So As To Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 33-74.1 amended—Highway Department may construct roadside facilities.—Section 33-74.1, Code of Laws of South Carolina, 1962, is amended to read as follows:

"Section 33-74.1. The Department may construct and maintain roadside parks, rest areas, road turnouts, scenic overlooks, roadside and landscape development and sanitary facilities."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of April, 1965.

(R280, H1470) **No. 198**

An Act To Amend Section 21-1805, Code Of Laws Of South Carolina, 1962, Relating To Vacancies On The Board Of Trustees Of The School District Of Chester County, So As To Change The Manner Of Filling Vacancies.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 21-1805 amended—vacancies.—Section 21-1805, Code of Laws of South Carolina, 1962, is amended by striking it out and inserting:

"Section 21-1805. In case of vacancies on the board of trustees, the Governor, upon the recommendation of the Chester County Legislative Delegation, shall appoint a successor who shall serve for the unexpired portion of the term."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of April, 1965.

(R281, H1481) **No. 199**

An Act To Amend Section 21-352, Code Of Laws Of South Carolina, 1962, Relating To Exemptions From The Prohibition Against Employment Of Teachers Related To A Member Of The Board Of Trustees, So As To Add The School District Of Chester County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 21-352 amended—Section 21-351 not to apply in certain counties.—Section 21-352, Code of Laws of South Carolina, 1962, is amended by striking the word "or" on line two and inserting a comma and by adding after the word "County" on line three the words "or in the school district of Chester County". The section when amended shall read as follows:

"Section 21-352. The provisions of Section 21-351 shall not be applicable in Kingstree School District in Williamsburg County, in any school district in Lexington County or in the school district of Chester County."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of April, 1965.

(R282, H1504) **No. 200**

An Act To Amend An Act Of 1965 Bearing Ratification No. 150, Relating To The Spartanburg County Economic Opportunity Commission, So As To Increase The Membership.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 3 of Act 104 of 1965 amended—members.—Section 3 of an Act of 1965 bearing Ratification No. 150 is amended on line one by striking the word "five" and inserting "nine".

The section when amended shall read as follows:

"Section 3. The commission shall be composed of nine members who shall be appointed by the Governor upon the recommendation of the legislative delegation. The members of the commission shall serve without compensation."

SECTION 2. Section 4 of Act 104 of 1965 amended—terms—vacancies.—Section 4 of an Act of 1965 bearing Ratification No. 150 is amended on line six by striking the word "two" and inserting "four". The section when amended shall read as follows:

"Section 4. The terms of office of the members of the commission shall be for two years or until their successors are appointed and qualify. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor. Of the initial appointees, four shall serve for one year."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of April, 1965.

(R286, S240) **No. 201**

An Act Declaring March Fifteenth, Andrew Jackson's Birthday, To Be A Legal Holiday In Lancaster County.

Whereas, Andrew Jackson, the seventh President of the United States, was born in Lancaster County, South Carolina; and

Whereas, the General Assembly desires to perpetuate his memory. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Andrew Jackson's birthday to be legal holiday in Lancaster County.—March fifteenth of each year, Andrew Jackson's birthday, shall officially be observed as a public holiday in Lancaster County, and no county office shall be opened for the transaction of any business on that date.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1965.

(R288, H1286) **No. 202**

An Act To Amend Section 21-228, Code Of Laws Of South Carolina, 1962, As Amended, Relating To Requirements For Purchases And Teacher Employment By School Trustees, So As To Permit The Trustees To Negotiate With Teachers Not Under Contract In South Carolina Before April Fifteenth Of Each Year.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 21-228 amended—requirements for purchases and teacher employment.—Section 21-228, Code of Laws of South Carolina, 1962, as amended, is further amended by inserting on line 9 between "teachers" and "before" the following: "who are under a teaching contract in South Carolina." The section when amended shall read as follows:

"Section 21-228. No teacher or other employee shall be employed or any purchase made except in a duly called meeting of the board, of which meeting each member has been notified in writing by the clerk of the board at least three days in advance thereof, unless a

written waiver of such notice of meeting is signed by each member of the board, and unless such action or the memoranda of the terms of any such contract of employment or purchase shall be duly recorded in the minutes of such meeting and approved by the board. No contract shall be entered into with teachers who are under a teaching contract in South Carolina before April fifteenth of each year. In lieu of making a particular purchase, the board may request the Purchasing and Property Division of the Budget and Control Board to make such purchase."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1965.

(R289, H1458)

No. 203

An Act To Create The Greenville County Economic Opportunity Commission And To Prescribe Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Greenville County Economic Opportunity Commission created.—There is hereby created the Greenville County Economic Opportunity Commission.

SECTION 2. To be corporate body.—The commission is hereby declared to be a body politic and corporate and shall exercise and enjoy all the rights and privileges of such.

SECTION 3. Members and compensation.—The commission shall be composed of eleven members who shall be appointed by the Governor upon the recommendation of the legislative delegation. The members of the commission shall serve without compensation.

SECTION 4. Terms and vacancies.—The terms of office of the members of the commission shall be for two years or until their successors are appointed and qualify. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor.

SECTION 5. Officers.—Immediately upon the appointment of the commission, it shall organize by electing one of its members as

chairman, a second as vice chairman and a third as secretary and treasurer. The commission shall file a record of its members in the office of the Clerk of Court for Greenville County.

SECTION 6. Powers and duties.—The commission shall be responsible for the improvement of communication and cooperation among existing and future programs and the administration of one or more new programs designed to improve the health, education, welfare, housing or employment of the residents of Greenville County. To this end the commission shall be empowered as follows:

(a) to sue and be sued;

(b) to adopt, use and alter a corporate seal;

(c) to make bylaws for the management and regulation of its affairs;

(d) to appoint agents, employees and servants, to prescribe their duties, to fix their compensation, to determine if and to what extent they shall be bonded for the faithful performance of their duties;

(e) to undertake the improvement of communication and cooperation among existing and future programs administered by federal, state, county and municipal governmental agencies and private nonprofit organizations designed to improve the health, education, welfare, housing or employment of the county residents and, with the consent of such agencies and organizations, to coordinate such programs;

(f) to enter into contracts and agreements for performance of its programs and duties with federal, state, county and municipal governmental agencies and subdivisions thereof, and private nonprofit organizations;

(g) to accept and receive funds for the performance of its duties in the administration of its programs from such governmental agencies and subdivisions thereof and private nonprofit organizations, as well as any other sources;

(h) to designate an executive committee from among the members of the commission to which may be delegated one or more duties and responsibilities of the commission and, from time to time, to appoint one or more subcommittees composed of residents of Greenville County to advise and assist in the administration of its program and the performance of its duties;

(i) to maintain adequate accounts and records of its activities, receipts and expenses in conformance with requirements of any contract or agreement with any federal, state, county or municipal gov-

ernmental agency, or subdivision thereof, or any private nonprofit organization; and

(j) to acquire, own or hold in trust, preserve, restore, maintain or lease property, facilities and equipment reasonably necessary for the performance of its duties and the administration of its programs.

SECTION 7. Exempt from taxes.—All property of the commission shall be exempt from all ad valorem taxes levied by Greenville County or any municipality therein, or any division, subdivision or agency thereof, directly or indirectly.

SECTION 8. Fiscal year and audit.—The commission shall conduct its affairs on the fiscal year basis employed by Greenville County. As shortly after the close of its fiscal year as may be practicable, an audit of its affairs shall be made by a certified public accountant in good standing, to be designated by the commission. Copies of such audit, incorporated into an annual report of the commission, shall be filed with the Greenville County Legislative Delegation.

SECTION 9. Contracts not to be impaired.—The right to alter, amend or rescind this act is hereby expressly reserved and disclosed, but no such amendment or repeal shall operate to impair the operation of any contract otherwise made by the authority pursuant to any power conferred by this act.

SECTION 10. When action may be taken.—Any action required of the commission may be taken at any regular or special meeting, and at such meeting a majority of the members shall constitute a quorum.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1965.

(R292, H1510) **No. 204**

An Act To Amend Section 47-55.2, Code Of Laws Of South Carolina, 1962, Relating To Election Of Aldermen From Their Respective Wards In Certain Towns, So As To Authorize The Town Council Of The Town Of Ninety Six In Greenwood County To Fix The Ward Boundaries Therein.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 47-55.2 amended—election of wardens in certain towns.—Section 47-55.2 of the Code of 1962 is amended by adding at the end thereof "*Provided,* the town council of the Town of Ninety Six is authorized to fix the ward boundaries within the town." When so amended, the section shall read:

"Section 47-55.2. The town councils of the towns of Honea Path and Pendleton in Anderson County and Ninety Six in Greenwood County may enact an ordinance providing that the aldermen shall be elected from their respective wards by the qualified electors of the respective towns at large. Upon the enactment of the ordinance the then present aldermen shall continue in office for the remainder of their terms. *Provided,* the town council of the Town of Ninety Six is authorized to fix the ward boundaries within the town."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1965.

(R293, H1522) **No. 205**

An Act To Authorize The Clerk Of Court Of Georgetown County To Remove Or Destroy Certain Chattel Mortgages.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Georgetown County Clerk of Court may destroy old chattel mortgages.—The Clerk of Court of Georgetown County is authorized and directed to remove from the active shelves of his office, and store or destroy all chattel mortgage records ten years of age or over, which do not involve any real estate transactions.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1965.

(R294, S39)

No. 206

An Act To Amend Section 1-367, Code Of Laws Of South Carolina, 1962, As Amended, Relating To The Granting Of Phosphate Mining Licenses By The State Budget And Control Board, So As To Further Provide For The Grant Or Issuance Of Leases Or Licenses And Require The Board Report All Leases And Licenses.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 1-367 amended—Budget and Control Board may grant licenses to mine phosphate.—Section 1-367, Code of Laws of South Carolina, 1962, as amended, is further amended to read as follows:

"Section 1-367. The Board may issue to any person who applies for a lease or license granting a general right to dig, mine and remove phosphate rock and phosphatic deposits from all the navigable streams, waters and marshes belonging to the State and also from such of the creeks, not navigable, lying therein as may contain phosphate rock and deposits belonging to the State and not previously granted. Such leases or licenses may be for such terms as may be determined by the Board. The annual report of the Board to the General Assembly shall include a list of all effective leases and licenses. The Board may make a firm contract for the royalty to be paid the State which shall not be increased during the life of the license. *Provided,* that prior to the grant or issuance of any lease or license, the Board shall cause to be published a notice of such application in a newspaper having general circulation in the county once a week for three successive weeks prior to the grant or issuance. *Provided,* further, the lessee or licensee may not take possession if there be an adverse claim and the burden of proving ownership in the State shall be placed upon the lessee or licensee."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1965.

(R295, S171) **No. 207**

An Act To Provide For A Referendum As To The Creation Of A Rural Fire District In School District No. 2 Of Calhoun County And, In The Event Of A Favorable Vote, To Provide For Its Creation; To Provide For A Board Of Fire Control For The District And Prescribe The Powers, Duties And Membership Of The Board; To Provide For Tax Levies; And To Provide Penalties For Certain Violations.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Calhoun County to have referendum in School District 2 concerning creation of a fire district.—The Calhoun County Commissioners of Election shall conduct a referendum on June 15, 1965, during the hours of the special election, to ascertain the wishes of the qualified electors residing in School District No. 2 on the question of whether they favor the establishment of a rural fire district and the necessary tax levy.

The commissioners of election shall publish the information relating to the referendum once a week for two consecutive weeks in a newspaper having general circulation in the area.

SECTION 2. Ballots and question.—The commissioners of election shall have printed a sufficient number of ballots and have them distributed at the voting places. The ballots shall read as follows: "Do you favor establishing and operating a rural fire department in School District No. 2 and the necessary tax levy?

In favor of ☐
Opposed to ☐

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the words 'In favor of' and those voting against the question shall deposit a ballot with a check or cross mark in the square after the words 'Opposed to.' "

Only those persons otherwise qualified and owning taxable property within the area shall be entitled to vote. The officials responsible for canvassing the results of the election shall, within ten days, certify such results to the clerk of court for the county and to the Secretary of State.

SECTION 3. District to be established if results favorable.—If a majority of those voting in the election vote in favor of the

creation of the fire district, there is hereby established The School District No. 2 Fire District in Calhoun County.

SECTION 4. Board to be established.—After the creation of the School District No. 2 Fire District, there is established a board of fire control for the district, to be composed of five members who shall be appointed by the Governor upon the recommendation of a majority of the Calhoun County Legislative Delegation. *Provided,* that of those first appointed, three members shall serve for terms of two years each and two members shall serve for terms of four years each and until their successors are appointed and qualify. The members of the board shall serve without pay and shall file annually a report with the Calhoun County Board of Commissioners, not later than the first of November of each year, showing all activities and disbursements made by the board during the year.

If at least twenty per cent of the qualified electors residing in the district petition the commissioners of election by the first of September of any general election year, the commissioners shall call an election to be held at the following general election for the purpose of electing members to the board to succeed the members whose terms will expire during such year for a four-year term. Thereafter, members shall be elected in each succeeding general election for terms of four years.

SECTION 5. Powers and duties.—The board shall have the following duties and responsibilities:

(a) To buy such fire-fighting equipment as the board deems necessary for the purpose of controlling fires within the money allocated or made available to the board for such purposes.

(b) To select the sites or places within the area where the fire-fighting equipment shall be kept.

(c) To provide and select the drivers and other volunteer firemen to man such equipment, who shall serve without compensation.

(d) To procure and supervise the training of the volunteer firemen selected to insure that the equipment shall be utilized for the best interest of the area.

(e) To be responsible for the upkeep, maintenance and repairs of the trucks and other fire-fighting equipment and to that end shall, as often as is deemed necessary, inspect such equipment.

(f) To promulgate such rules and regulations as it may deem proper and necessary to insure that the equipment is being used to the best advantage of the area.

(g) To construct, if necessary, buildings to house the equipment authorized herein.

(h) To borrow not exceeding thirty thousand dollars on such terms and for such a period as to the fire control board may seem most beneficial for the fire district in anticipation of taxes. The indebtedness shall be evidenced by a note issued by the members of the board and the county treasurer. The full faith, credit and taxing power of the School District No. 2 Fire District is hereby irrevocably pledged for the payment of the indebtedness.

SECTION 6. Tax levy.—The Auditor and Treasurer of Calhoun County are hereby directed to levy and collect a tax of not more than five mills, to be determined by the board of fire control, upon all taxable property of the district for the purpose of defraying the expenses incurred by the board. All monies collected from this levy shall be credited to the fire district.

SECTION 7. Supervision of equipment.—The fire chief or equivalent official of the truck company to which the equipment is assigned shall have complete supervision over its use and operation and it shall be his responsibility to insure that the equipment is readily available for use at all times.

SECTION 8. Members may enforce fire laws.—All members of the truck company of the district may direct and control traffic at the scene of any fire in the area of the district and enforce the laws of this State relating to the following of fire apparatus, the crossing of fire hose and interfering with firemen in the discharge of their duties in connection with a fire in a like manner as provided for the enforcement of such laws by peace officers.

SECTION 9. Unlawful acts.—It is unlawful to interfere with a member of a fire department in the discharge of his duties in the district or to interfere with any fire apparatus used by the fire department in the district, and any person so offending shall be subject to a fine of not exceeding one hundred dollars or imprisonment for not exceeding thirty days.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1965.

(R296, S166) **No. 208**

An Act To Amend Section 28-452, Code Of Laws Of South Carolina, 1962, Relating To Trapping Of Quail And Wild Turkeys And The Baiting Of Wild Turkeys, So As To Prohibit The Hunting Of Wild Turkeys When Lured By Bait.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 28-452 amended—trapping of quail and wild turkeys prohibited.—Section 28-452, Code of Laws of South Carolina, 1962, is amended by striking the word "shot" on line four and inserting in lieu thereof the word "hunted" and by adding at the end thereof the following:

"This section shall not apply to mechanical feeders when used in a planned conservation and management program approved by the Director of the Division of Game." The section when amended shall read as follows:

"Section 28-452. The trapping or snaring of quail or wild turkeys is absolutely prohibited, except as provided for scientific or propagation purposes. No wild turkey shall be hunted at any time from any natural or artificial blind or hiding place when lured by bait. This section shall not apply to mechanical feeders when used in a planned conservation and management program approved by the Director of the Division of Game."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1965.

(R297, S202) **No. 209**

An Act To Amend Section 23-68, Code Of Laws Of South Carolina, 1962, Relating To Application For Registration Certificates, So As To Reduce The Residency Provisions.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Item (2) 2. (a) of Section 23-68 amended—residency requirements.—Item (2) 2. (a) of Section 23-68 of the Code of 1962 is amended by striking on line one "two years" and inserting

"one year", by striking on line two "one year" and inserting "six months", and by striking "four" on line three and inserting "three" so that, when so amended the subitem shall read:

"2. (a) I will have resided in South Carolina for at least one year, in this County for at least six months and in my voting precinct for at least three months prior to any election at which I will be entitled to vote if a registration certificate is issued to me upon this application;".

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1965.

(R299, H1368) **No. 210**

An Act To Amend Act No. 1022 Of 1964, Relating To The Creation Of Rural Communities Water Districts, So As To Change The Qualifications For Voting Thereon.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Act 1022 of 1964 amended—Section 2A added—persons eligible to vote.—Act No. 1022 of 1964 is amended by adding Section 2A to read as follows:

"Section 2A. Any person who is qualified to vote under the general law of this State and who resides in the district shall be eligible to vote."

SECTION 2. Section 3A of Act 1022 of 1964 repealed.—Section 3A of Act No. 1022 of 1964 is repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1965.

(R302, S210) **No. 211**

An Act To Amend The Code Of Laws Of South Carolina, 1962, By Adding Section 43-862 So As To Provide For The Bonding Of Magistrates In Laurens County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 43-862 added—magistrates in Laurens County to be bonded.—The Code of Laws of South Carolina, 1962, is amended by adding Section 43-862 to read as follows:

"Section 43-862. No person shall be commissioned and qualified to discharge the duties and exercise the powers as magistrate in and for Laurens County until he shall have first entered into and caused to be filed in the office of the clerk of court of said county bond to the State in the sum of one thousand dollars. Such bond shall be conditioned for the faithful performance and discharge of the duties of such officers, with surety to be approved by the governing body of the county, the terms, form and execution thereof to be approved by the Attorney General. The premiums on all such bonds shall be paid by the county."

SECTION 2. Compliance of present magistrates.—All magistrates in Laurens County shall comply with the provisions of Section 1 within thirty days after the effective date of this act, except those magistrates whose terms expire in 1965.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of April, 1965.

(R304, S254) **No. 212**

An Act To Create The Sumter Court Library Commission For The Purpose Of Establishing And Operating A Law Library.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Sumter Court Library Commission created.—There is hereby created the "Sumter Court Library Commission," consisting of three members who shall be appointed by the Sumter County Bar Association from its practicing members in good standing for terms of three years and until their successors are appointed and qualify. Vacancies shall be filled in the manner of the original appointments for the unexpired portion of the term only. All commissioners shall serve without pay.

SECTION 2. Officers and meetings.—The commission shall organize by the election of a chairman, secretary and such other officers as may be deemed expedient. Its meetings shall be held at the call of the chairman or a majority of its members.

SECTION 3. Powers and duties.—The commission shall establish and exercise exclusive control over a Law Library in Sumter County to be known as the "Sumter Court Library". It shall maintain the library for the use of the courts of Sumter County, visiting judges, the officials of Sumter County, and the members of the Sumter County Bar Association. The commission shall promulgate such rules and regulations for the operation of the library as it deems advisable. It may accept donations of books, funds and other property, dispose of books and other equipment deemed unnecessary or obsolete, purchase books and other necessary material and make any expenditure which it deems necessary for the proper upkeep and orderly management of the library, including a reasonable salary for a librarian.

SECTION 4. Housing.—The County Board of Commissioners of Sumter County shall provide suitable housing for the library in the courthouse.

SECTION 5. Funds.—The funds provided for pursuant to Section 27-98, Code of Laws of South Carolina, 1962, shall be set aside and held by the treasurer of the county in a special account to be designated as the "Sumter Court Library Fund." This fund shall be used solely for the maintenance, support and operation of the Sumter Court Library, and shall be paid out by the Treasurer of Sumter County only upon vouchers drawn in the name of the Sumter Court Library Commission and signed by its secretary and chairman.

SECTION 6. Reports.—The commission shall make annual reports to the Sumter County Bar Association on the conduct of the library.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of April, 1965.

(R305, H1434)

No. 213

An Act To Create The Fairfield County Economic Opportunity Commission And To Prescribe Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Fairfield County Economic Opportunity Commission created.—There is hereby created the Fairfield County Economic Opportunity Commission.

SECTION 2. To be corporate body.—The commission is hereby declared to be a body politic and corporate and shall exercise and enjoy all the rights and privileges of such.

SECTION 3. Members and compensation.—The commission shall be composed of nine members who shall be appointed by the Governor upon the recommendation of the legislative delegation. The members of the commission shall serve without compensation.

SECTION 4. Terms and vacancies.—The terms of office of the members of the commission shall be for two years and until their successors are appointed and qualify. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor. Of the initial appointees, three shall serve for one year.

SECTION 5. Officers.—Immediately upon the appointment of the commission, it shall organize by electing from its membership a chairman, a vice chairman and a secretary and treasurer. The commission shall file a record of its members in the office of the Clerk of Court for Fairfield County.

SECTION 6. Powers and duties.—The commission shall be responsible for the improvement of communication and cooperation among existing and future programs and the administration of one or more new programs designed to improve the health, education, welfare, housing or employment of the residents of Fairfield County. To this end the commission shall be empowered as follows:

(a) to sue and be sued;

(b) to adopt, use and alter a corporate seal;

(c) to make bylaws for the management and regulation of its affairs;

(d) to appoint agents, employees and servants, to prescribe their duties, to fix their compensation, to determine if and to what extent they shall be bonded for the faithful performance of their duties;

(e) to undertake the improvement of communication and cooperation among existing and future programs administered by federal, state, county and municipal governmental agencies and private nonprofit organizations designed to improve the health, education, welfare, housing or employment of the county residents and, with the consent of such agencies and organizations, to coordinate the programs;

(f) to enter into contracts and agreements for performance of its programs and duties with federal, state, county and municipal governmental agencies and subdivisions thereof, and private nonprofit organizations;

(g) to accept and receive funds for the performance of its duties in the administration of its programs from such governmental agencies and subdivisions thereof and private nonprofit organizations, as well as any other sources;

(h) to designate an executive committee from among the members of the commission to which may be delegated one or more duties and responsibilities of the commission and, from time to time, to appoint one or more subcommittees composed of residents of Fairfield County to advise and assist in the administration of its program and the performance of its duties;

(i) to maintain adequate accounts and records of its activities, receipts and expenses in conformance with requirements of any contract or agreement with any federal, state, county or municipal governmental agency, or subdivision thereof, or any private nonprofit organization; and

(j) to acquire, own, or hold in trust, preserve, restore, maintain or lease property, facilities and equipment reasonably necessary for the performance of its duties and the administration of its programs.

SECTION 7. Exempt from taxes.—All property of the commission shall be exempt from all ad valorem taxes levied by Fairfield County or any municipality therein, or any division, subdivision or agency thereof, directly or indirectly.

SECTION 8. Fiscal year and audit.—The commission shall conduct its affairs on the fiscal year basis employed by Fairfield County.

As shortly after the close of its fiscal year as may be practicable, an audit of its affairs shall be made by a certified public accountant in good standing, to be designated by the commission. A copy of such audit, incorporated into an annual report of the commission, shall be filed with the Fairfield County Legislative Delegation.

SECTION 9. Contracts not to be impaired.—The right to alter, amend or rescind this act is hereby expressly reserved and disclosed, but no such amendment or repeal shall operate to impair the operation of any contract otherwise made by the authority pursuant to any power conferred by this act.

SECTION 10. When action may be taken.—Any action required of the commission may be taken at any regular or special meeting, and at such meeting a majority of the members shall constitute a quorum.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of April, 1965.

(R306, H1506) **No. 214**

An Act To Amend An Act Of 1965 Bearing Ratification No. 128 Relating To The County Court of Greenville County, So As To Redesignate The Effective Date For Change In Salary Of The County Judge.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 8 of Act 92 of 1965 amended—effective dates.—Section 8 of an act of 1965 bearing Ratification No. 128 is amended by striking on line two "January 1, 1965" and inserting in lieu thereof "July 1, 1965". The section, when amended, shall read as follows:

"Section 8. Upon approval by the Governor, Section 1 shall take effect as of July 1, 1965; Sections 2, 3 and 5 shall take effect immediately; and Sections 4, 6 and 7 shall take effect at the commencement of the term of the civil court of the County Court of Greenville County next ensuing."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of April, 1965.

(R307, H1532) **No. 215**

An Act To Fix The Annual Tax Levy For General School Purposes For The School District Of Greenville County; To Provide For The Suspension Of One Or More Mills Of The Levy; To Provide For The Increase Of The Levy By An Election To Be Held In The School District; To Provide For The Manner Of Holding The Election; To Amend Section 21-2804, Code Of Laws Of South Carolina, 1962, Relating To The Powers And Duties Of The Greenville School District Board Of Trustees, So As To Further Provide For The Tax Levy; And To Repeal Section 21-2832, Code Of Laws Of South Carolina, 1962, Relating To Tax Levies For School Purposes In Greenville County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Tax levy for School District of Greenville County.—The Auditor of Greenville County shall levy upon all of the taxable property within The School District of Greenville County for general school operating purposes for the year 1965 and annually thereafter, unless increased or decreased as hereinafter provided in Sections 3 and 5, the number of mills, not exceeding fifty-seven mills, which a majority of the Board of Trustees of the School District may determine to be necessary for general school operating purposes. The Tax Collector of Greenville County shall collect the tax in like manner as all other taxes are collected and place it in the district's school operating account, to be disbursed for the declared purposes in the manner fixed by law. The levy of fifty-seven mills is hereby declared to be the ceiling levy for general school operating purposes.

In the event that in any year the board shall determine that a levy of eight mills upon all the taxable property of the district is insufficient to pay the amount of principal and interest required under the terms of the general obligation bonds of the district issued in the aggregate principal amount of three million three hundred thousand

dollars and dated September 1, 1959, and in the aggregate principal amount of twelve million dollars and dated June 1, 1963, the maximum levy which the board is authorized for school operating purposes for the year shall be decreased by the number of mills by which the levy required to meet such bond maturities, including principal and interest, exceeds eight mills; but in making the determination the board may take into account any surplus in the sinking fund accounts maintained for the payment of such bonds, including interest thereon, and the surplus, or so much as may be necessary, may be added to the anticipated proceeds of the eight-mill levy and used for the purpose of paying the amount of principal and interest required to be paid upon the bonds for the year.

In the event that prior to May 31, 1965, and on the same date of each year thereafter, the district has received or has been officially notified that there is available to the district for use during the ensuing school operating year federal funds appropriated for general school operating purposes pursuant to the Elementary and Secondary Education Act of 1965, or pursuant to any similar federal legislation which may hereafter be enacted (exclusive of all federal funds now or to become available to said school district under existing law or extensions thereof or for any special purpose or purposes which, at the time that said federal funds shall become available, said board of trustees may reasonably determine do not constitute a general school operating purpose included within the educational program then being conducted by said school district for students enrolled in grades 1 through 12 in any of the schools of said school district) in an amount equal to or exceeding the greater of (a) five hundred thousand dollars or (b) the anticipated proceeds of a five-mill levy upon all the taxable property within the district, and the board has accepted or is willing to accept the same, the maximum levy which the board is authorized for school purposes for any year shall be decreased by five mills.

SECTION 2. Election concerning tax increases.—On or before the first day of July of each year, the board shall canvass the needs of the school district and, if a majority of the members of the board conclude that the tax millage for operating school purposes in the district should be increased, they shall, on or before the first day of July, submit in writing to the county superintendent of education a statement showing the amount of the proposed additional levy and the need for the additional fund. Upon receiving the statement, the

superintendent of education shall call an election to the end that the voters of the district may vote for or against the proposed increase. In calling such an election, he shall post a notice in two or more public places in the district and shall publish a notice in at least one issue of each of the daily papers published in the county. The notice shall be posted and published at least fourteen days prior to the date of the election, and the date shall be fixed by the superintendent of education. The notice shall give the question to be voted on, the date of the election and the voting places, which voting places shall be selected by the superintendent of education as he deems proper. All residents of the district qualified to vote in a county general election shall be qualified to vote in the election upon producing to the managers credentials as required in general elections. As far as practicable, the rules governing general elections shall be followed. The superintendent of education shall have a sufficient number of appropriate ballots prepared and placed at the voting places of such election and shall appoint a sufficient number of managers, who shall conduct the election, canvass the results thereof, and certify the results to the superintendent of education.

SECTION 3. Tax increase if election favorable.—If a majority of those voting in the election shall vote in favor of the proposed tax millage, the superintendent of education shall in writing so certify to the auditor of the county, and state the amount of the proposed increased millage. Thereupon the auditor shall immediately levy and the tax collector shall collect the additional tax millage along with the ceiling millage upon all the taxable property in the district for the ensuing school year. Subject to the provisions of this act, the auditor shall annually thereafter make and the tax collector shall collect a like levy upon the property in the district; *provided,* however, that the provisions of Section 2 and Section 3 of this act requiring an election shall be applicable only with respect to the levy of taxes for operating school purposes and shall not be applicable with respect to any levy for the purpose of retiring any bonded indebtedness of the district pursuant to bonds issued subsequent to February 23, 1956. If the trustees of the district shall determine that the credit accruing to the district from the sales tax for any year shall prove insufficient to pay the bonds of the district issued subsequent to February 23, 1956, and maturing in any year, together with interest on the outstanding bonds of the district issued subsequent to February 23, 1956, they shall certify to

the Auditor of Greenville County the millage required to be levied on all property within the district for the purpose of paying the bonds with interest, and the auditor shall levy and the tax collector shall collect the millage so certified upon all the taxable property in the district.

SECTION 4. Expenses of election.—All expenses incident to the calling and holding of the election shall be borne by the district.

SECTION 5. Portion of levy may be suspended.—If at any time a majority of the board shall conclude that one or more mills of the tax levy authorized for operating school purposes under the provisions of this act for the ensuing year may be suspended for one year without materially interfering with the proper operation of the schools in the district and a majority of the members of the board shall notify the county superintendent of education in writing, the superintendent of education shall so notify the auditor in writing and thereupon the levy of the number of mills set out in the notification shall, for that year only, be suspended, and the auditor shall levy upon the property in the district in accordance with the notification.

SECTION 6. Section 21-2804 amended—powers and duties.—Section 21-2804, Code of Laws of South Carolina, 1962, is amended by striking on line two "Greenville School District No. 520" and inserting "The School District of Greenville County" and by striking item (4) and inserting in lieu the following:

"(4) To include in the annual budget provision for the tax levy, not to exceed the number of mills authorized by law, which budget and millage shall include the amortization of all school bonds issued on or before February 23, 1956."

When so amended, the section shall read as follows:

"Section 21-2804. The trustees of The School District of Greenville County, in addition to the duties and responsibilities now provided by law for trustees of school districts, shall have the following powers and duties:

(1) To purchase or erect suitable buildings for the use of the public schools of the school district;

(2) To elect and dismiss superintendents and teachers of the schools in the district, to prescribe their duties and terms of office, and to fix their salaries, and to cause an examination of the teachers

to be made whenever necessary; also, to determine the classbooks and studies to be used in the schools and to make rules and regulations for the government of the schools;

(3) To fill all vacancies occurring in the board of trustees by death, resignation, removal, or otherwise, during their term of office or service; and

(4) To include in the annual budget provision for the tax levy, not to exceed the number of mills authorized by law, which budget and millage shall include the amortization of all school bonds issued on or before February 23, 1956."

SECTION 7. Section 21-2832 repealed.—Section 21-2832, Code of Laws of South Carolina, 1962, is hereby repealed.

SECTION 8. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of April, 1965.

(R308, H1539) **No. 216**

An Act To Repeal Act No. 791 Of 1962, Relating To The Expenditure Of Funds Derived From Tax Levies On Boats In Anderson County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Act 791 of 1962 repealed.—Act No. 791 of 1962 is hereby repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of April, 1965.

(R309, H1546) **No. 217**

An Act To Amend Act No. 820 Of 1964, Relating To Reassessment Of Realty In Abbeville County, So As To Provide For Notice To Owners Of Property Increased In Value As Much As One Hundred Dollars.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 1 of Act 820 of 1964 amended—Abbeville County may reassess property.—Section 1 of Act No. 820 of 1964 is amended by striking the period at the end thereof and adding the following: ", when there is an increase of as much as one hundred dollars." The section, when amended, shall read as follows:

"Section 1. Notwithstanding any provision of law to the contrary, the Board of Assessors of Abbeville County is empowered to reassess any parcel of real estate in any year in which it deems such action necessary to reflect the proper value of the parcel. The board shall give written notice to the owner of any property reassessed, or his agent, of the valuation determined for the property, when there is an increase of as much as one hundred dollars."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of April, 1965.

(R310, H1512) **No. 218**

An Act To Amend Item (20) Of Section 65-1404, Code Of Laws Of South Carolina, 1962, Relating To Exemptions From The Sales Tax, So As To Include The Gross Proceeds Of The Sale Of Materials Necessary To Assemble Certain Missiles.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Item (20) of Section 65-1404 amended—exemptions from sales tax.—Item (20) of Section 65-1404 of the Code of 1962 is amended by changing the period at the end to a comma and adding: "and materials necessary to assemble any missiles to be used by the Armed Forces of the United States." When so amended, the item shall read:

"(20) The gross proceeds of the sale of railroad cars and locomotives and the parts thereof and vessels and barges of more than fifty tons burden, and materials necessary to assemble any missiles to be used by the Armed Forces of the United States."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of April, 1965.

(R311, H1105)

No. 219

An Act To Create The Chester County Police Department; To Provide Deputies For Industrial Corporations; And To Repeal Sections 53-411 Through 53-428, Code Of Laws Of South Carolina, 1962, And An Act Of 1965 Bearing Ratification Number 183 Relating To The Chester County Police System.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chester County Police Department created.—There is hereby created the Chester County Police Department, whose duties shall be to enforce the laws of the State throughout the county, including incorporated towns and cities.

SECTION 2. Sheriff to be in charge of Department.—The sheriff, as the chief law enforcement officer of Chester County, shall be the head of the Chester County Police Department and will have control and supervision of the department and of all its personnel.

SECTION 3. Employment of officers and other personnel.—The sheriff of Chester County may appoint and employ the necessary office and administrative personnel to operate and maintain the Chester County Police Department and appoint and employ the necessary number of county policemen to properly and adequately provide for law enforcement in the county. Such policemen shall serve under the direction and supervision of the sheriff. In determining the number of policemen and other personnel and their respective salaries and compensation, the sheriff shall be guided by and give due consideration to the annual appropriation provided in the Chester County appropriation act for the maintenance and operation of the Chester County Police Department.

SECTION 4. Appointment of lieutenant and sergeants.—The sheriff shall appoint a lieutenant of the Chester County Police, who shall be second in command of the county police, and the lieutenant shall have supervision and control of the county police and all personnel of the Chester County Police Department in the event of the absence or inability of the sheriff to act, for any reason. The sheriff shall also appoint two sergeants, one of which may be a detective and both of which shall have authority, under the sheriff and the lieutenant, over all other officers in the Chester County Police Department.

SECTION 5. Powers and bond of officers and personnel.—All policemen and personnel of the Chester County Police Department shall be vested with all of the powers and authority as are now vested in the deputy sheriffs of the State, and each shall give and file in the office of the Clerk of Court for Chester County a surety bond in the penal sum of one thousand dollars, conditioned upon the faithful discharge of his duties, and further conditioned upon the payment of any judgment recovered against him in any court of competent jurisdiction, upon a claim or cause of action arising out of a breach or abuse of official duties or powers or other unlawful acts committed under color of office.

SECTION 6. Officers and personnel to serve at pleasure of sheriff.—The sheriff of Chester County shall have the right, power and authority to appoint and employ, and to suspend or discharge, any policeman or other employee of the Chester County Police Department, as in his discretion he may deem advisable, and all such policemen and personnel shall serve at the will of the sheriff.

SECTION 7. Deputies may be appointed upon request of certain corporations.—Upon a written statement of the president, treasurer or other executive officer having the management of an industrial corporation located in Chester County, directed to the sheriff and setting forth that, in his opinion, the interest of the industrial community and locality under his management requires special police supervision and that in the same community fifty or more inhabitants are included, the sheriff shall appoint one or more discreet and suitable persons as deputies who shall be satisfactory to the president, treasurer or other executive officer of the corporation requesting the appointment, and whose terms of office shall be for one year unless sooner removed by the sheriff. The deputies shall reside within the community for whose protection they are appointed and their salaries shall be fixed by contract and paid by the corporation. The jurisdiction of the deputies shall extend over the property controlled by the corporation and, in addition, over all territory within a radius of one mile from the main building in which the industry of the corporation is operated. Before entering upon the duties of their office, the deputies shall take the oath prescribed by the Constitution and statutes of this State. A deputy shall be removed from office by the sheriff upon the request of the executive officer of the corporation when it appears that he is not discharging his duties satisfactorily.

SECTION 8. Corporation nor sheriff to be responsible for misconduct of deputy.—Neither the industrial corporation nor the sheriff of Chester County shall be responsible for the malfeasance or misfeasance in office of any deputy appointed pursuant to the provisions of Section 7 of this act.

SECTION 9. Funds.—Chester County shall provide funds necessary for the payment of the salaries provided in this article and the cost of necessary uniforms, automobiles, radios, gasoline, oil, supplies, equipment, telephone and telegraph expense, bond premiums and the cost of proper items and expenses as shall be necessary to properly operate and maintain the Chester County Police Department.

SECTION 10. Repeal.—Sections 53-411 through 53-428, Code of Laws of South Carolina, 1962, and an act of 1965 bearing ratification number 183, are repealed.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of April, 1965.

(R312, H1273)

No. 220

An Act To Amend Sections 67-58, 67-59, 67-60 and 67-61, Code Of Laws Of South Carolina, 1962, Relating To Investments By Fiduciaries, So As To Adopt The Uniform "Prudent-man Investment Act."

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 67-58 amended—care required of fiduciaries.—Section 67-58, Code of Laws of South Carolina, 1962, is amended by striking it in its entirety and inserting in lieu thereof the following:

"Section 67-58. In acquiring, investing, reinvesting, exchanging, retaining, selling and managing property for the benefit of another, a fiduciary shall exercise the judgment and care under the circumstances then prevailing, which men of prudence, discretion and intelligence exercise in the management of their own affairs, not in regard to speculation but in regard to the permanent disposition of their funds, considering the probable income as well as the probable safety

of their capital. Within the limitations of the foregoing standard, a fiduciary is authorized to acquire and retain every kind of property and every kind of investment, specifically including but not by way of limitation, bonds, debentures and other corporate obligations, and stocks, preferred or common, and within the limitations of the foregoing standard a fiduciary may retain property properly acquired, without limitation as to time and without regard to its suitability for original purchase."

SECTION 2. Section 67-59 amended—meaning of certain terms. —Section 67-59, Code of Laws of South Carolina, 1962, is amended by striking it in its entirety and inserting in lieu thereof the following:

"Section 67-59. The provisions of Sections 67-58, 67-60 and 67-61 shall not be construed as authorizing any departure from, or variation of, the express terms or limitations set forth in any will, agreement, court order or other instrument creating or defining the fiduciary's duties and powers, but the terms 'legal investment' or 'authorized investment' or words of similar import, as used in any such instrument, shall be taken to mean any investment which is permitted by the terms of Section 67-58."

SECTION 3. Section 67-60 amended—certain powers of courts not to be affected.—Section 67-60, Code of Laws of South Carolina, 1962, is amended by striking it in its entirety and inserting in lieu thereof the following:

"Section 67-60. The provisions of Sections 67-58, 67-59 and 67-61 shall not be construed as restricting the power of a court of proper jurisdiction to permit a fiduciary to deviate from the terms of any will, agreement, or other instrument relating to the acquisition, investment, reinvestment, exchange, retention, sale or management of fiduciary property."

SECTION 4. Section 67-61 amended—sections to govern certain fiduciaries.—Section 67-61, Code of Laws of South Carolina, 1962, is amended by striking it in its entirety and inserting in lieu thereof the following:

"Section 67-61. The provisions of Sections 67-58, 67-59 and 67-60 shall govern fiduciaries acting under wills, agreements, court orders and other instruments now existing or hereafter made."

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of April, 1965.

(R313, H1384)

No. 221

An Act To Amend Act No. 129 Of 1963, Relating To The Greenville County Planning Commission, So As To Further Provide For Its Powers And Duties And Subdivision Regulations.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 4 of Act 129 of 1963 amended—powers and duties.—Section 4 of Act No. 129 of 1963 is amended by adding at the end thereof the following: "(g) Adopt subdivision regulations as provided in Section 4A." The section when amended shall read as follows:

"Section 4. The Commission shall have authority to: (a) Prepare and from time to time revise, amend, and add to a continuing plan or plans for the development of the Planning Area. (b) Cooperate with and provide planning assistance to municipalities and other local governmental instrumentalities and planning agencies in the county. Such planning assistance shall be limited to surveys, land use studies, technical services and other planning assistance; whenever cooperation and assistance include the rendering of technical services, such services may be rendered free or in accordance with an agreement for reimbursement. (c) Provide information to officials of departments, agencies, and instrumentalities of State and local government, and to the public at large, in order to foster public awareness and understanding of the objectives of the Commission's plans and to stimulate public interest and participation in the orderly development of the Planning Area. (d) Hold public and private hearings and sponsor public meetings in any part of the county whenever it deems such hearings or meetings necessary or useful in the execution of its functions. (e) Exercise all other powers necessary and proper for the discharge of its duties. (f) Appoint advisory committees from among citizens of the Planning Area to study any problems or to advise on any problems submitted by the Commission. (g) Adopt subdivision regulations as provided in Section 4A."

SECTION 2. Act 129 of 1963 amended—Section 4A added—subdivision regulations.—Act No. 129 of 1963 is amended by adding Section 4A to read as follows:

"Section 4A. The Commission shall adopt and administer subdivision regulations after the Commission has adopted a comprehensive development plan which includes at least a major street, trunk sewer line and water line plan or shall have progressed in its comprehensive planning to the stage of the making of a major street plan. Thereafter, no plat of a subdivision of land within Greenville County shall be filed or recorded until it has been submitted to and is approved by the Planning Commission and such approval is entered in writing on the plat by the chairman, or his authorized representative.

This act shall apply to all of Greenville County, except those incorporated places which have planning and zoning commissions and which have adopted development standards and subdivision regulations which are, in the opinion of the commission, equal to or more stringent than those adopted by the Planning Commission. The extraterritorial subdivision jurisdiction granted to the City of Greenville under Sections 47-1038 and 47-1329, Code of Laws of South Carolina, 1962, is to be revoked upon adoption of subdivision regulations by the Planning Commission.

In exercising the powers granted to it herein, the Commission shall adopt regulations governing the subdivision of land within its platting jurisdiction as defined above. Such regulations shall provide for the harmonious development of the county; for the coordination of streets within subdivisions with other existing or planned streets or with other features of the comprehensive development plan or official map of the county; for adequate open spaces for traffic, recreation, light, and air; and for a distribution of population and traffic which will tend to create conditions favorable to health, safety, convenience, or prosperity.

Such regulations may include requirements as to the extent and manner in which streets shall be graded and improved and water, sewer, and other utility mains, piping, connections, or other facilities shall be installed as a condition precedent to the approval of the plat. The regulations or practice of the commission may provide for the tentative approval of the plat previous to such improvements and installation; but any such tentative approval shall not be entered on the plat. Such regulations may provide that, in lieu of the completion of such work and the installations previous to the final ap-

proval of a plat, the commission may accept a bond, in an amount and with surety and conditions satisfactory to it, providing for and securing to the county the actual construction and installation of such improvements and utilities within a period specified by the Commission and expressed in the bond; and the county is hereby granted the power to enforce such bonds by all appropriate legal and equitable remedies. Such regulations may provide, in lieu of the completion of such work and installations previous to the final approval of a plat, for an assessment or other method whereby the county is put in an assured position to do such work and make such installations at the cost of the owners of the property within the subdivision.

Before the adoption of regulations governing the subdivision of land, or any amendment thereof, the Commission shall hold a public hearing thereon, the notice of which shall be given once a week for two consecutive weeks, the first of which shall appear not less than fifteen nor more than thirty days prior to the hearing date. The notice of hearing shall be made in a daily newspaper having general distribution in the county.

The owner or agent of the owner of any land located within the platting jurisdiction of the Commission as described herein who transfers or sells or agrees to sell such land by reference to or exhibition of or by other use of a plat of subdivision of such land before such plat has been approved by the Commission and recorded in the office of the register of mesne conveyance shall forfeit and pay a penalty of one hundred dollars for each lot so transferred or sold or agreed or negotiated to be sold; and the description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties. The county may enjoin such transfer or sale or agreement by action for injunction or may recover the penalty by civil action.

The approval of a plat by the Commission shall not be deemed to constitute or effect an acceptance by the county or public of the dedication of any street or other ground shown upon the plat. After the adoption of a major street plan as provided above, the county or other public authority shall not accept, lay out, open, improve, grade, pave, or light any street or authorize the laying of water mains, sewers, connections, or other facilities or utilities in any street within the territorial jurisdiction of the Commission unless such street has been accepted or opened as, or shall have otherwise received the legal status

of, a public street prior to the attachment of the Commission's subdivision jurisdiction, or unless such street corresponds in its location and lines with a street shown on a subdivision plat approved by the Commission or on a street plat made by and adopted by the Commission; *provided*, however, that the governing body may locate and construct or may accept any other street if the ordinance or other measure for such location and construction or for such acceptance is first submitted to the Commission for its approval, and, if disapproved by the Commission, is passed by not less than three-fourths of the entire membership of the county legislative delegation; and a street approved by the Commission upon such submission, or of the governing body having appropriate jurisdiction, or constructed or accepted by three-fourths vote after disapproval by the Commission, shall have the status of an approved street as fully as though it had been originally shown on a subdivision plat approved by the commission or on a plat made and adopted by the Commission.

After the adoption of subdivision regulations by the Commission, no building permit shall be issued for and no building, other than a farm building, shall be erected on any lot in the county unless the street giving access to the lot upon which the building is proposed to be placed has been accepted or opened as, or shall have otherwise received the legal status of a public street.

For the purposes of this act, the term 'street' or 'streets' means streets, avenues, boulevards, roads, lanes, alleys, and other ways; 'subdivision' means the division of a tract or parcel of land into three or more lots, sites, or other divisions for the purpose, whether immediate or future, of sale or building development, and includes resubdivision and, when appropriate to the context, relates to the process of subdividing or to the land or area subdivided. The following shall not be included within this definition nor be subject to the regulations authorized by this act: (1) the division of land into parcels greater than five acres where no street right-of-way dedication is involved; (2) the public acquisition by purchase of strips of land for the widening or opening of streets.

The provisions of this act shall not apply to subdivision plat maps, which prior to the adoption of regulations governing the subdivision of lands, were recorded in the office of the Greenville County Register of Mesne Conveyance."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of April, 1965.

(R314, H1447) **No. 222**

An Act Providing That No High School Of This State Shall Lose Its Accreditation On The Basis Of Class Or School Enrollment Only, And Restoring Accreditation To Any High School Which Has Lost Its Status Based Solely Upon Class or School Enrollment.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. High Schools not to lose accreditation on basis of enrollment.—No high school in this State shall lose its accreditation on the basis of class or school enrollment only, and any high school which lost its accreditation status during the school year 1964-65, based solely upon class or school enrollment, is hereby restored to its former accreditation status.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of April, 1965.

(R316, H1552) **No. 223**

An Act To Amend Sections 27-411 And 27-436, Code Of Laws Of South Carolina, 1962, Relating To Exceptions To Fee Schedules In Orangeburg County, So As To Provide A Fee Schedule For The Issuance And Service Of Certain Processes.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 27-411—fee schedule for service of certain processes in Orangeburg County.—Section 27-411, Code of Laws of South Carolina, 1962, is amended by adding at the beginning thereof the following: "Notwithstanding the provisions of Section 47-401, the Sheriff of Orangeburg County shall be allowed a fee of five dollars for service of a claim and delivery proceeding; three dollars for the service of a summons and complaint; five dollars for the service of attachment proceedings; three dollars for the service of a distress warrant; and three dollars for the service of a warrant of ejectment." The section when amended shall read as follows:

"Section 27-411. Notwithstanding the provisions of Section 47-401, the Sheriff of Orangeburg County shall be allowed a fee of five

dollars for service of a claim and delivery proceeding; three dollars for the service of a summons and complaint; five dollars for the service of attachment proceedings; three dollars for the service of a distress warrant; and three dollars for the service of a warrant of ejectment. The Sheriff of Orangeburg County shall not be allowed any fee for serving jury venires in Orangeburg County. If personal service on any juror shall be necessary, the venire may be served by any rural policeman of the county."

SECTION 2. Section 27-436 amended—magistrate's fees in Orangeburg County.—Section 27-436, Code of Laws of South Carolina, 1962, is amended by adding at the end the following: "A magistrate shall receive five dollars for issuing claim and delivery proceedings; two dollars for issuing summons and complaints; five dollars for issuing attachment proceedings; two dollars for issuing a distress warrant; and two dollars for issuing a warrant ejection." The section when amended shall read as follows:

"Section 27-436. In Orangeburg County the magistrate shall receive only three dollars for proceedings on a coroner's inquest, as prescribed by law. A magistrate shall receive five dollars for issuing claim and delivery proceedings; two dollars for issuing summons and complaints; five dollars for issuing attachment proceedings; two dollars for issuing a distress warrant; and two dollars for issuing a warrant ejection."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of April, 1965.

(R320, S260) **No. 224**

An Act To Amend Section 15-1301.6, Code Of Laws Of South Carolina, 1962, Relating To Exclusive Original Jurisdiction Of The Juvenile And Domestic Relations Court Of Lancaster County, So As To Reduce The Age Limit Of Minors Over Which It Has Jurisdiction.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Item (2) of Section 15-1301.6 amended—jurisdiction.—Item (2) of Section 15-1301.6 of the Code of 1962 is amended

by striking "eighteen" on lines two, six and nine and inserting "seventeen" so that, when so amended, the item shall read:

"(2) Whenever the juvenile and domestic relations court shall have acquired jurisdiction of any child under seventeen years of age, such jurisdiction shall continue so long as in the judgment of the court it may be necessary to retain jurisdiction for the correction or education of such child, but such jurisdiction shall terminate when such child shall attain the age of twenty-one years. Concerning any minor, seventeen years of age or older, living or found within the county, alleged to have violated or attempted to violate any state or local law or municipal ordinance prior to becoming seventeen years of age, such minor shall be dealt with under the provisions of this chapter relating to children."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of April, 1965.

(R321, H1016) **No. 225**

An Act To Amend Section 55-616 Of The 1962 Code, As Amended By Act No. 766 Of The Acts Of 1962, Relating To Violation Of Parole, So As To Change The Provision For Bond Pending Final Determination Of Violation.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 55-616 amended—violation of parole.—Section 55-616 of the Code of 1962, as amended, is further amended by deleting the proviso at the end thereof, so that, when so amended, the section shall read:

"Section 55-616. Upon failure of any prisoner released on parole under the provisions of this chapter to do or refrain from doing any of the things set forth and required to be done by and under the terms of his parole, the order of parole shall be cancelled and the prisoner shall thereupon and thereafter have the status of an escaped convict, be arrested without a warrant and be required to serve the part of the sentence that remains unserved. But such prisoner shall be eligible to parole thereafter when and if the Board thinks such parole would be proper. The Board shall be the sole judge as to whether or not a

parole has been violated and no appeal therefrom shall be allowed. *Provided,* that any person arrested for violation of terms of parole may be released on bond, for good cause shown, pending final determination of the violation by the Probation, Parole and Pardon Board. No bond shall be granted except by the presiding or resident judge of the Circuit wherein the prisoner is arrested, or, if there be no judge within such Circuit, by the Judge, presiding or resident, in an adjacent Circuit, and the Judge granting the bond shall determine the amount thereof."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of April, 1965.

(R322, H1554)

No. 226

An Act To Amend Act 365 Of 1963, Relating To Construction Permits In Greenville County, So As To Delete The Word "Unless" and Insert The Word "Until".

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 5 of Act 365 of 1963 amended—electricity not to be furnished without permit.—Section 5 of Act 365 of 1963 is amended by striking on line three the word "unless" and insert the word "until" and by striking the period on line four and inserting "or temporary or permanent connection to any premises for the purpose of constructing or improving any building thereon or to be placed thereon requiring a permit under this act and until such permit is acquired." The section when amended shall read as follows:

"Section 5. It shall be unlawful for any electric utility company or rural electric cooperative to make a new connection of electrical energy to a building requiring a permit under this act until such permit was acquired for the construction or improvement of the building or temporary or permanent connection to any premises for the purpose of constructing or improving any building thereon or to be placed thereon requiring a permit under this act and until such permit is acquired. Any company or cooperative making a connection

shall report to the county tax coordinator's office on or before the tenth of each month the location of each connection."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of April, 1965.

(R323, H1570) **No. 227**

An Act Making It Unlawful To Start Fires In Forestry District No. 35 Except Under Certain Conditions And Providing Penalties For Violations.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Unlawful to start fires in Forestry District 35.—It shall be unlawful for any owner or lessee of land or any employee of any such owner or lessee or other person to start, or cause to be started, any fire in any woodlands, brushlands, grasslands, ditchbanks, or hedgerows or in any debris, leaves or other flammable material adjacent thereto in Forestry District No. 35, except under the following conditions:

(a) Proper notification shall be given to the State Forester, or his duly authorized representative or other persons designated by the State Forester. The notice shall contain all information required by the State Forester or his representative.

(b) Such persons shall have cleared around the area and have immediately available sufficient equipment and personnel to adequately secure the fire and prevent its spread.

(c) The person starting the burning shall supervise carefully any such fire and have it under control prior to leaving the area.

SECTION 2. Permission of landowner required.—A lessee of any land, or any employee of any landowner or lessee of land, or other person, must receive prior authorization from the landowner to conduct such burning, in addition to complying with the other provisions of this act.

SECTION 3. Exceptions.—The provisions of this act shall not apply to fires which may be started within the corporate limits of any municipality, nor to fires started on rights of way of railroads

by their duly authorized employees to remove fire hazards unless the State Forester, or his representative, after investigation shall notify such railroad that its practices are disapproved on account of the failure to exercise such safeguards against the spread of fire.

SECTION 4. No burning during emergencies.—No burning shall be carried out during any period which the Governor has declared that an emergency exists in connection with forest fires.

SECTION 5. State Forester may prohibit starting of fires.—The State Forester may direct at any time, when deemed necessary in the interest of public safety, that fire or fires covered by this act not be started.

SECTION 6. Penalties.—Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not less than ten dollars nor more than one hundred dollars or be imprisoned for not less than ten days nor more than thirty days. For any second or subsequent offense, a fine of not less than twenty-five dollars nor more than five hundred dollars or imprisonment for not more than one year may be imposed in the discretion of the court.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of April, 1965.

(R324, H1571)

No. 228

An Act To Authorize The Clerk Of Court, Auditor And Treasurer Of McCormick County To Remove Or Destroy Certain Chattel Mortgages And Records Pertaining To Taxes After Certain Periods Of Time.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. McCormick County Clerk of Court may destroy old chattel mortgages.—The Clerk of Court of McCormick County is authorized and directed to remove from the active shelves of his office, and store or destroy, all chattel mortgage records ten years of age or over which do not involve any real estate transactions.

SECTION 2. Old tax records may be destroyed.—The Auditor and Treasurer of McCormick County are authorized and directed to remove from the active shelves of their offices, and store or destroy, all tax returns and records pertaining to tax fifteen years of age or over.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of April, 1965.

(R325, H1579) **No. 229**

An Act To Amend Section 23-174, Code Of Laws Of South Carolina, 1962, Relating To Voting Precincts In Florence County, So As To Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 23-174 amended—voting precincts in Florence County designated.—Section 23-174, Code of Laws of South Carolina, 1962, is amended by striking "Five Points;" on line four, by inserting after "Florence No. 4;" on line five "Florence No. 5; Florence No. 6; Florence No. 7; Florence No. 8;", by inserting after "Prospect" on line eight "; Quinby" and by adding new paragraphs at the end of the section to read as follows:

"The following precincts shall include the respective areas hereafter described:

Florence No. 5—All that area bounded on the North by the Atlantic Coast Line Railroad; on the West by Cashua Drive; on the South by Palmetto Street; and on the East by Franklin Drive, all within the corporate limits of the City of Florence.

The place of polling shall be the Florence County Health Center.

Florence No. 6—All that area bounded on the North by Palmetto Street; on the South and West by Cherokee Road; and on the East by Franklin Drive, all within the corporate limits of the City of Florence.

The place of polling shall be Royall School.

Florence No. 7—All that area bounded on the North by Cherokee Road; on the West by Cashua Drive; on the South by the run of

Jeffries Creek; on the East by Edisto Drive, all within the corporate limits of the City of Florence.

The place of polling shall be Moore Junior High School.

Florence No. 8—All that area bounded on the North by Cherokee Road; on the West by Edisto Drive; on the South by the run of Jeffries Creek; on the East by Irby Street, all within the corporate limits of the City of Florence.

The place of polling shall be Briggs Elementary School.

All electors residing in Quinby Estates, Quinby Forest and all that area immediately adjacent thereto shall vote at Quinby." The section when amended shall read as follows:

"Section 23-174. In Florence County there shall be the following voting precincts: Back Swamp; Cartersville; Claussen; Coles Cross Roads; Cowards No. 1; Cowards No. 2; Ebenezer; Effingham; Elim; Evergreen; Florence No. 1; Florence No. 2; Florence No. 3; Florence No. 4; Florence No. 5; Florence No. 6; Florence No. 7; Florence No. 8; ACL Shops; Friendfield; Glennwood; Hannah; High Hill; James Cross Roads; Johnsonville; Kingsburg; Lake City No. 1; Lake City No. 2; Leo; Liberty; Mars Bluff; McAllister Mill; McCutcheon; Oak Grove; Olanta; Pamplico; Prospect; Quinby; Salem; Scranton; Stone; Tans Bay; Timmonsville; Vox; and Winona.

The following precincts shall include the respective areas hereafter described:

Florence No. 5—All that area bounded on the North by the Atlantic Coast Line Railroad; on the West by Cashua Drive; on the South by Palmetto Street; and on the East by Franklin Drive, all within the corporate limits of the City of Florence.

The place of polling shall be the Florence County Health Center.

Florence No. 6—All that area bounded on the North by Palmetto Street; on the South and West by Cherokee Road; and on the East by Franklin Drive, all within the corporate limits of the City of Florence.

The place of polling shall be Royall School.

Florence No. 7—All that area bounded on the North by Cherokee Road; on the West by Cashua Drive; on the South by the run of Jeffries Creek; on the East by Edisto Drive, all within the corporate limits of the City of Florence.

The place of polling shall be Moore Junior High School.

Florence No. 8—All that area bounded on the North by Cherokee Road; on the West by Edisto Drive; on the South by the run of Jeffries Creek; on the East by Irby Street, all within the corporate limits of the City of Florence.

The place of polling shall be Briggs Elementary School.

All electors residing in Quinby Estates, Quinby Forest and all that area immediately adjacent thereto shall vote at Quinby."

SECTION 2. Voting in new precincts.—The board of registration shall compile books for the new precincts. The board shall notify all persons registered in Five Points Precinct by a postal card at the address reflected in the registration book. Such persons shall report to the registration board where a new certificate shall be issued for their new precincts, or their current certificates amended to reflect their new places of polling.

SECTION 3. Time effective.—This act shall take effect July 1, 1965.

Approved the 30th day of April, 1965.

(R329, H1586)

No. 230

An Act To Amend Section 21-1001, Code Of Laws Of South Carolina, 1962, Relating To The Board Of Education In Abbeville County, So As To Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 21-1001 amended—Abbeville County Board of Education.—Section 21-1001, Code of Laws of South Carolina, 1962, is amended to read as follows:

"Section 21-1001. In Abbeville County the Board of Education shall be composed of nine members, three from each school area of the county who shall be appointed by the Governor upon the recommendation of the Senator and at least one-half of the members of the House of Representatives from the county. The members shall be appointed immediately following the effective date of this act. One member shall be appointed from each school area to serve until March 31, 1967, one member shall be appointed from each school area to serve until March 31, 1968, and one member shall be ap-

pointed from each school area to serve until March 31, 1969, thereafter their successors shall be appointed on April first for terms of three years and until their successors are appointed and qualify. All vacancies shall be filled in the manner of the original appointment for the unexpired portion of the term only."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of April, 1965.

(R330, H1587)

No. 231

An Act To Amend Section 2-414, Code Of Laws Of South Carolina, 1962, Relating To Deposits And Expenditures By The Newberry Airport Commission, So As To Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 2-414, amended—deposits and expenditures.—Section 2-414 of the Code of 1962 is amended by striking it and inserting:

"Section 2-414. The Commission shall deposit all funds received by it from all sources with the Treasurer of Newberry County. There shall be no expenditure of any of the funds of the Commission except on approval of a majority of the members thereof. The Commission shall on or before the first day of February of each year file an itemized statement of all its receipts and disbursements with the Clerk of the City of Newberry."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of April, 1965.

(R332, H1245)

No. 232

An Act To Amend Sections 56-1057 And 56-1061, Code of Laws Of South Carolina, 1962, Relating To Opticians And Optometrists, So As To Increase The Mileage Allowance For Members

Of The South Carolina Board Of Examiners In Optometry And To Change From Two Weeks To Thirty Days The Amount Of Time Necessary For The Filing Of An Application Prior To The Holding Of An Examination.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 56-1057 amended—compensation of members.—Section 56-1057, Code of Laws of South Carolina, 1962, is amended by striking on line four the word "five" and inserting the word "eight". The section when amended shall read as follows:

"Section 56-1057. Out of the funds coming into possession of the Board each member shall receive as compensation a per diem allowance and expenses for each day actually engaged in the duties of his office and mileage at the rate of eight cents per mile for all distance necessarily traveled in going to and from the meetings of the Board. Such expenses shall be paid from the fees and licenses received by the Board under the provisions of this chapter, and no part of the salaries or other expenses of the Board shall ever be paid out of the State Treasury."

SECTION 2. Section 56-1061 amened—application and fee.—Section 56-1061, Code of Laws of South Carolina, 1962, is amended by striking on line three the words "two weeks" and inserting the words "thirty days". The section when amended shall read as follows:

"Section 56-1061. Any person desiring to be examined by the Board must fill out and swear to an application furnished by the Board at least thirty days prior to the holding of the examination. Each applicant, on making application, shall pay to the secretary of the Board a fee of twenty-five dollars."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of April, 1965.

(R334, H1336)

No. 233

An Act To Amend Section 28-886, Code Of Laws Of South Carolina, 1962, As Amended, Relating To The Use Of Nets For Catching Shad, So As To Further Provide For The Catching In The Edisto River.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 28-886 amended—use of nets for catching shad.—Section 28-886 of the 1962 Code, as amended, is further amended by adding at the end: *"Provided,* in the Edisto River north of U. S. Highway 15 nets with a mesh of not less than four and one-half inches may be used." When amended the section shall read:

"Section 28-886. No nets for catching shad shall be used with a mesh of less than five and one-half inches nor extending more than halfway across any stream nor within two hundred yards of any net previously set and no cable line or any other device used for the support of such nets shall extend over halfway across any stream. Nor shall it be lawful to set any nets for catching shad in lakes or coves tributary to any stream, whether navigable or not, except that a net with a mesh of less than five and one-half inches but not less than four inches may be used in the Savannah River. No net or seine shall be used in the muddy waters of any river within twenty-five yards of the mouth of any clear water stream emptying into such river. *Provided,* in the Edisto River north of U. S. Highway 15 nets with a mesh of not less than four and one-half inches may be used."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of April, 1965.

(R335, H1408) **No. 234**

An Act To Provide For Identification Cards For Certain Persons Engaged In The Crabbing Industry.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Persons engaged in crabbing industry to have identification cards.—Each person employed in the crabbing industry who sets or harvests from crab-catching devices shall obtain an identification card from the Division of Commercial Fisheries, and shall carry the card on his person when engaged in such activities. The card shall contain such information as may be prescribed by the South Carolina Wildlife Resources Commission, and shall be issued for one dollar annually.

SECTION 2. Time effective.—This act shall take effect July 1, 1965.

Approved the 30th day of April, 1965.

(R336, H1430)

No. 235

An Act To Amend Sections 56-1560 And 56-1565, Code Of Laws Of South Carolina, 1962, Relating To The Annual License Fee To Practice Veterinary Medicine And Surgery, So As To Permit The Board Of Veterinary Examiners And The Association To Set Such Fees.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 56-1560 amended—application fee.—Section 56-1560, Code of Laws of South Carolina, 1962, is amended so as to authorize the State Board of Veterinary Examiners to set the fee for applicants so that when so amended Section 56-1560 shall read as follows:

"Section 56-1560. Every application for a license to practice veterinary medicine and surgery in this State shall be accompanied by a fee to be determined by the State Board of Examiners and approved by the State Association not to exceed fifty dollars. No application shall be considered unless such fee has been paid. All fees shall be paid to the secretary and treasurer of the board."

SECTION 2. Section 56-1565 amended—annual fee.—Section 56-1565, Code of Laws of South Carolina, 1962, is amended so as to authorize the annual fee to practice veterinary medicine and surgery to be determined by the association so that when so amended Section 56-1565 shall read as follows:

"Section 56-1565. Every person holding a license to practice veterinary medicine and surgery in this State shall pay an annual fee to be determined by a majority vote at the annual meeting of the association not to exceed ten dollars. Notice to increase the annual fee shall be sent to each member, at least fourteen days prior to the meeting. The fee shall be paid to the secretary and treasurer of the board and the board may revoke the license of any person failing to pay such fee."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of April, 1965.

(R340, H1567)

No. 236

An Act To Provide For The Issuance Of Construction Permits In Anderson County; To Prohibit Electric Companies From Making Electrical Connections To A Building Constructed Or Improved Without A Permit; To Provide A Penalty For Violation; And To Repeal Sections 14-400.661 Through 14-400.664, Code Of Laws Of South Carolina, 1962, Relating To Building Certificates In Anderson County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Construction pemits required in Anderson County.—It shall be unlawful for any person to construct or improve any building at a cost in excess of five hundred dollars, in Anderson County, unless an application has been filed with and a permit granted by the county auditor for such construction or improvement; *provided,* that no application or permit shall be required for construction or improvement of buildings situate within any incorporated municipality which requires a permit therefor.

SECTION 2. Application forms.—The county auditor shall prepare the application forms, which shall show information to be of assistance to him in locating the real estate on which the construction or improvement is to be made and in checking tax returns. This information shall include, but shall not be limited to, the following: (a) name of owner of the real estate; (b) school district; (c) street number or road and rural post office box number; (d) estimated cost of construction or improvement; (e) type of construction or improvement; (f) type of roof; (g) number of stories; (h) number of rooms; and (i) approximate distance from the limits of the nearest municipality.

SECTION 3. Issuance of permit.—The county auditor shall issue the permit upon the applicant's paying a fee of one dollar. The fees shall be remitted to the county treasurer for deposit in a special fund of the county on the last Monday of each month, together

with a copy of each permit issued since previous remittance. The permits shall be numbered and be made in quadruplicate; the original shall be filed with the county auditor, one copy to the owner or applicant, one copy with the county treasurer and one copy with utility company when application for electric service is made.

The permit when issued shall be kept at the building or place where such construction or improvement is being done and on demand shall be produced by the person in charge of such work for inspection by any police officer or properly designated agent of the county auditor's office, and it shall be unlawful to continue the work after demand unless and until the permit is produced for inspection.

SECTION 4. Municipalities to furnish copies of permits.—Every incorporated municipality in the county, requiring permits for the construction or improvement of buildings upon real estate situate within the municipality, shall furnish to the county auditor and county treasurer copies of all permits issued by the municipality.

SECTION 5. Penalties.—Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine not exceeding one hundred dollars nor less than five dollars or imprisonment not exceeding ten nor less than three days. In case of a violation of the provisions of Section 1 of this act, each day that a violation is continued shall constitute a separate offense.

SECTION 6. Electricity not to be furnished without permit.—It shall be unlawful for any public utility company or rural electric cooperative to make a new connection of electrical energy to a building requiring a permit under this act until such permit is acquired for the construction or improvement of the building. Any company or cooperative receiving a request for a connection where the owner does not have a permit shall report such request to the county auditor. No company or cooperative shall be required to determine the cost or value of the building being constructed or improved.

SECTION 7. Repeal.—Sections 14-400.661 through 14-400.664, Code of Laws of South Carolina, 1962, are repealed.

SECTION 8. Time effective.—This act shall take effect July 1, 1965.

Approved the 30th day of April, 1965.

(R341, H1568)

No. 237

An Act To Create The Board Of Tax Review And Appeals For Newberry County; To Provide For Its Terms, Powers And Duties; To Provide For Appeals; And To Dissolve The Newberry County Board Of Equalization And Devolve Its Duties Upon The Board Of Tax Review And Appeals.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Board of Tax Review and Appeals created for Newberry County.—There is hereby created the Board of Tax Review and Appeals for Newberry County. The members shall be commissioned by the Governor upon the recommendation of a majority of the legislative delegation for terms of three years or until their successors have been appointed and qualify. One member shall come from each of the townships. The board shall elect such officers and adopt such rules and methods of procedure as it deems necessary for carrying out its functions.

Before entering upon the discharge of their duties, the members of the board shall qualify by taking the oath of office provided for other county officers. The members shall serve without compensation but shall be paid the per diem and mileage provided by law for boards, commissions and committees.

The board shall review any actions or acts of the tax assessor and delinquent tax collector when so requested in writing by a taxpayer and shall have the authority to confirm or modify any decision of the tax assessor and delinquent tax collector. For their proper determination the records of the tax assessor and delinquent tax collector's office shall be made available and the board may request the presence of the tax assessor and delinquent tax collector at any of its meetings.

The minutes of all meetings of the board shall be a matter of public record, with a copy duly certified by the secretary being forwarded to the tax assessor and delinquent tax collector.

SECTION 2. Appeals.—Appeals may be taken by any property owner from the board to the South Carolina Tax Commission for such further relief as may be available to him under the general laws of South Carolina.

SECTION 3. Board of Equalization abolished.—The powers and duties of the Newberry County Board of Equalization are hereby

devolved upon the Board of Tax Review and Appeals and the Newberry County Board of Equalization is hereby abolished.

SECTION 4. Time effective.—This act shall take effect July 1, 1965.

Approved the 30th day of April, 1965.

(R342, H1569) **No. 238**

An Act To Create The Office Of Tax Assessor And Delinquent Tax Collector For Newberry County And To Provide For His Term Of Office, Salary, Powers And Duties; To Establish An Assessment And Equalization System; And To Devolve The Powers And Duties Of Township Boards Of Assessors And The Delinquent Tax Collector Upon The Tax Assessor And Delinquent Tax Collector.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Office of Tax Assessor and Delinquent Tax Collector created for Newberry County.—There is hereby created the office of Tax Assessor and Delinquent Tax Collector for Newberry County. He shall be commissioned by the Governor for a four-year term commencing July 1, 1965, upon the recommendation of a majority of the legislative delegation. His salary shall be as provided in the annual county appropriations act, and he shall devote his full time to the duties of this office. Vacancies shall be filled as the original appointment for the unexpired term.

SECTION 2. Powers and duties.—The Tax Assessor and Delinquent Tax Collector shall:

(1) Use the Guide and Training Personnel furnished by the South Carolina Tax Commission;

(2) Consider the returns and lists laid before him by the county auditor and, if necessary, compare them with the tax returns and lists of the previous years;

(3) Seek for and discover all real property in Newberry County not previously returned by the owners or agents thereof or not listed for taxation by the county auditor, and list it for taxation in the name of the owner or person to whom it is taxable;

(4) Make a preliminary assessment of the value of all real property in the county and enter it upon the returns and lists furnished him by the county auditor for his consideration;

(5) From time to time reassess taxable property in the county so as to reflect its proper valuation in the light of changed conditions and to equalize insofar as is possible all properties within the county; and

(6) With the consent and approval of a majority of the legislative delegation, engage such personnel to assist him in his duties as he deems necessary, whose compensation shall be as provided in the annual county appropriations act.

SECTION 3. Assessments subject to review.—All assessments and reassessments made by the tax assessor shall be subject to review and revision by the Newberry County Board of Tax Appeals.

SECTION 4. Powers and duties further.—All powers, duties and privileges of the township Boards of Assessors of Newberry County, as they relate to the assessment and valuation of property, are hereby devolved upon the tax assessor and delinquent tax collector; subject, however, to the duties and responsibilities of the county auditor as provided by law.

SECTION 5. Further.—All powers, duties and privileges of the Delinquent Tax Collector for Newberry County are hereby devolved upon the Tax Assessor and Delinquent Tax Collector.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of April, 1965.

(R343, H1592) **No. 239**

An Act To Amend Section 65-2211, 65-2212, And 65-2213, Code Of Laws Of South Carolina, 1962, Relating To The Tax Collector Of Anderson County, So As To Further Provide For His Appointment, Term And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 65-2211 amended—Tax collector to be appointed.—Section 65-2211, Code of Laws of South Carolina, 1962,

is amended by striking the second sentence and inserting in lieu thereof the following: "He shall be appointed by the county treasurer and may be removed from office in like manner." The section when amended shall read as follows:

"Section 65-2211. There shall be appointed for Anderson County one discreet person to be known as 'Tax Collector.' He shall be appointed by the county treasurer and may be removed from office in like manner. He shall give bond in the sum of four thousand dollars, with a surety company as surety, for the faithful performance of his duties as tax collector."

SECTION 2. Section 65-2212 amended—term.—Section 65-2212, Code of Laws of South Carolina, 1962, is amended by striking it out and inserting in lieu thereof the following:

"Section 65-2212. The term of office of the tax collector shall be designated by the county treasurer."

SECTION 3. Section 65-2213 amended—duties of treasurer concerning delinquent taxes.—Section 65-2213, Code of Laws of South Carolina, 1962, is amended by striking it out and inserting in lieu thereof the following:

"Section 65-2213. In Anderson County the county treasurer shall be responsible for the collection of delinquent taxes, seizure and sale of property and similar tax matters, and is given all power and authority to carry into effect all the laws pertaining to the collection of delinquent taxes. The tax collector shall be under the supervision and direction of the county treasurer and shall have such duties and responsibilities as may be assigned him by the treasurer. All tax records, current and delinquent, shall be kept in the tax collector's office."

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of April, 1965.

(R344, S89) **No. 240**

An Act To Prohibit The Use Of Television Viewers or Screens In Motor Vehicles, And To Provide Penalties For Violations.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Television prohibited in motor vehicles.—No person shall drive a motor vehicle equipped with any television viewer, screen or other means of visually receiving a television broadcast which is located in the motor vehicle at any point forward of the back of the driver's seat, or which is visible, directly or indirectly, to the driver while operating the motor vehicle.

SECTION 2. Penalties.—Anyone violating the provisions of this act shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not more than one hundred dollars or be imprisoned for not more than thirty days.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 5th day of May, 1965.

(R345, S255) **No. 241**

An Act To Amend Section 27-98, Code Of Laws Of South Carolina, 1962, Relating To Clerk Of Court Fees For Sumter County, So As To Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 27-98 amended—clerk of court fees for Sumter County.—Section 27-98, Code of Laws of South Carolina, 1962, is amended by striking "6.00" opposite item (12) and inserting in lieu thereof "8.00", and by striking "3.00" opposite item (13) and inserting in lieu thereof "4.00", and by striking "six" on the third line of item (13) and inserting in lieu thereof "eight", and by changing the period at the end of the section to a semicolon and adding the following: "except that one dollar of each fee collected pursuant to items (12) and (13) shall be used to maintain the Sumter Court Library." The section when amended shall read as follows:

"Section 27-98. The filing and recording fees of the clerk of court of Sumter County shall be as follows, except that if the fee for any

service is not included in this section, then such fee shall be as provided by general law:

(1) Deeds of conveyance of real estate, timber deeds and easements $2.00
(2) Real estate mortgages 2.50
(3) Chattel mortgages (copy to be furnished clerk, with names typed under signatures) ..... .75
(4) Satisfactions of real estate or chattel mortgages ..... .50
(5) Assignments ..... .50
(6) Releases 1.00
(7) Acknowledgments 1.00
(8) Mechanics' liens 1.00
(9) Charters 1.00
(10) Plats, including drawings, blueprints or any copies or reproductions or sections of plats or drawings of real estate 1.00
(11) Leases, agreements, contracts and miscellaneous papers 3.00
(12) Judgment rolls, including satisfactions 8.00
(13) All first papers filed in any suit (If a judgment roll is requested to be made, this amount shall be credited against the eight-dollar fee.) 4.00
(14) For enrolling executions of Federal and State tax liens, including satisfactions 1.50
(15) Probate court papers ..... .75
(16) Notary certificates ..... .50
(17) For certified copies of the following when such copies are furnished by the clerk
(a) deeds, mortgages and decrees 2.50
(b) marriage licenses 1.00
(c) chattel mortgages 1.00

All such fees and charges shall be collected by the clerk of court in advance of any filing, recording or other service and shall be paid monthly by him to the county treasurer for credit to the ordinary funds of the county in such manner as may be provided by law; except that one dollar of each fee collected pursuant to items (12) and (13) shall be used to maintain the Sumter Court Library."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 5th day of May, 1965.

(R346, S267)

No. 242

An Act To Amend Section 38-61.2, Code Of Laws Of South Carolina, 1962, Relating To Summoning Jurors In Certain Counties, So As To Include Chesterfield County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 38-61.2 amended—summoning of jurors in certain counties.—Section 38-61.2, Code of Laws of South Carolina, 1962, is amended by adding on line two between the words "Newberry" and "and" ", Chesterfield". When amended, the section shall read as follows:

"Section 38-61.2. Notwithstanding Section 38-61, the clerk of the court of common pleas for Chester, Fairfield, Lancaster, Marlboro, Newberry, Chesterfield and Pickens Counties shall issue his venire facias for such petit jurors summoned to attend the court of general sessions for such counties, requiring their attendance on the second day of the week for which they have been drawn."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 5th day of May, 1965.

(R347, S290)

No. 243

An Act To Vest The General Powers And Duties Of Boards Of Commissioners Of Public Works Upon The Town Council Of The Town Of Chapin, In Lexington County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Town of Chapin not to have commissioners of public works.—Notwithstanding any provision of law to the contrary, in the Town of Chapin, in Lexington County, there shall be no Board of Commissioners of Public Works, and the powers and duties vested by general law in such boards in other cities and towns shall be vested in the Town Council of the Town of Chapin.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 5th day of May, 1965.

(R348, H1139) **No. 244**

An Act To Add Section 59-8.1 To The Code Of Laws Of South Carolina, 1962, So As To Provide For Payment By The South Carolina Public Service Authority Sums Of Money In Lieu Of Taxes To Certain Counties And School Districts.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 59-8.1 added—Public Service Authority to pay money to certain counties.—Section 59-8.1 is added to the Code of Laws of South Carolina, 1962, to read as follows:

"Section 59-8.1. Beginning with the tax year 1965, after the payment of all necessary operating expenses and all annual debt requirements on bonds, notes or other obligations at any time outstanding and the discharge of all obligations arising under finance agreements and indentures or other instruments under which bonds or obligations have been or may be issued, and after payment into the General Fund of the State the sum of at least two hundred twenty-five thousand dollars annually, the South Carolina Public Service Authority shall pay annually to the counties of Orangeburg, Calhoun, Sumter, Clarendon, Berkeley, Horry and Georgetown and school districts therein additional sums of money in lieu of taxes on lands acquired prior to the year 1950 for reservoirs, lakes, canals, structures and adjoining properties of the Santee-Cooper Hydroelectric and Navigation Project in amounts equivalent to that paid in 1964 for sums in lieu of taxes on such lands to the counties and school districts therein. *Provided,* that all additional sums to be paid under this section shall be used for the support of the public schools within the counties and districts involved."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 5th day of May, 1965.

(R349, H1266) **No. 245**

An Act To Amend Section 58-1440, Code Of Laws Of South Carolina, 1962, Relating To The Payment Of Certain Fees By Motor Vehicle Carriers, So As To Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 58-1440 amended—when fees may be paid.—Section 58-1440, Code of Laws of South Carolina, 1962, is amended by adding at the end thereof the following: *"Provided,* that fees for D, E and F certificates may be paid on an annual basis on or before July first of each year." The section when amended shall read as follows:

"Section 58-1440. The fees prescribed in this article may be paid semiannually in advance on or before January first and July first of each year. *Provided,* that fees for D, E and F certificates may be paid on an annual basis on or before July first of each year."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 5th day of May, 1965.

(R350, H1377) **No. 246**

An Act To Create The Marlboro County Economic Opportunity Commission And To Prescribe Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Marlboro County Economic Opportunity Commission—created.—There is hereby created the Marlboro County Economic Opportunity Commission.

SECTION 2. To be corporate body.—The commission is hereby declared to be a body politic and corporate and shall exercise and enjoy all the rights and privileges of such.

SECTION 3. Members and compensation.—The commission shall be composed of seven members who shall be appointed by the Governor upon the recommendation of the legislative delegation. The members of the commission shall serve without compensation.

SECTION 4. Terms and vacancies.—The initial terms of three of the members shall be for one year and of four members for two years and thereafter the terms of office of the members of the commission shall be for two years or until their successors are appointed and qualify. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor.

SECTION 5. Officers.—Immediately upon the appointment of the commission, it shall organize by electing one of its members as chairman, a second as vice chairman and a third as secretary and treasurer. The commission shall file a record of its members in the office of the Clerk of Court for Marlboro County.

SECTION 6. Powers and duties.—The commission shall be responsible for the improvement of communication and cooperation among existing and future programs and the administration of one or more new programs designed to improve the health, education, welfare, housing or employment of the residents of Marlboro County. To this end the commission shall be empowered as follows:

(a) to adopt, use and alter a corporate seal;

(b) to make bylaws for the management and regulation of its affairs;

(c) to appoint agents, employees and servants, to prescribe their duties, to fix their compensation, to determine if and to what extent they shall be bonded for the faithful performance of their duties;

(d) to undertake the improvement of communication and cooperation among existing and future programs administered by federal, state, county and municipal governmental agencies and private nonprofit organizations designed to improve the health, education, welfare, housing or employment of the county residents and, with the consent of such agencies and organizations, to coordinate same;

(e) to enter into contracts and agreements for performance of its programs and duties with federal, state, county and municipal governmental agencies and subdivisions thereof, and private nonprofit organizations;

(f) to accept and receive funds for the performance of its duties in the administration of its programs from such governmental agencies and subdivisions thereof and private nonprofit organizations, as well as any other sources;

(g) to designate an executive committee from among the members of the commission to which may be delegated one or more duties

and responsibilities of the commission and, from time to time, to appoint one or more subcommittees composed of residents of Marlboro County to advise and assist in the administration of its program and the performance of its duties;

(h) to maintain adequate accounts and records of its activities, receipts and expenses in conformance with requirements of any contract or agreement with any federal, state, county or municipal governmental agency, or subdivision thereof, or any private nonprofit organization; and

(i) to acquire, own or hold in trust, preserve, restore, maintain or lease property, facilities and equipment reasonably necessary for the performance of its duties and the administration of its programs.

SECTION 7. Exempt from taxes.—All property of the commission shall be exempt from all ad valorem taxes levied by Marlboro County or any municipality therein, or any division, subdivision or agency thereof, directly or indirectly.

SECTION 8. Fiscal year and audit.—The commission shall conduct its affairs on the fiscal year basis employed by Marlboro County. As shortly after the close of its fiscal year as may be practicable an audit of its affairs shall be made by a certified public accountant in good standing, to be designated by the commission. Copies of such audit, incorporated into an annual report of the commission, shall be filed with the Marlboro County Legislative Delegation.

SECTION 9. Contracts not to be impaired.—The right to alter, amend or rescind this act is hereby expressly reserved and disclosed, but no such amendment or repeal shall operate to impair the operation of any contract otherwise made by the authority pursuant to any power conferred by this act.

SECTION 10. When action may be taken.—Any action required of the commission may be taken at any regular or special meeting, and at such meeting a majority of the members shall constitute a quorum.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 5th day of May, 1965.

(R351, H1379)

No. 247

An Act To Make Appropriations To Meet The Ordinary Expenses Of The State Government For The Fiscal Year Beginning July 1, 1965; To Regulate The Expenditure Of Funds Therefor; For Borrowing Money; Further Relating To The Operation Of The State Government During The Fiscal Year 1965-66; And To Enact As Permanent Laws Of The State Of South Carolina Measures To Amend The 1962 Code Of Laws Of South Carolina As Follows: To Amend Article 8, Of Chapter 5, Title 65 Relating To The Payment Of Income Tax By Providing For The Filing Of A Declaration Of Estimated Tax By Corporations And Payment Of Tax Thereon; To Repeal Sections 65-341, 65-352 And 65-353 Relating To The Payment Of Income Tax By Corporations; To Amend Sections 1-781 And 1-782 Relating To The Establishment Of A General Fund Reserve So As To Fix The Amount Of Such Reserve At $1,000,000.00; To Amend Sections 61-254 And 61-256 Relating To Retirement Pay Of Justices, Judges And Their Widows; To Amend Section 1-543 Relating To A Revolving Fund For Office Supplies For The State Budget And Control Board So As To Increase The Amount Of Such Fund; To Amend Title 3, Chapter 2, Article 4 Relating To The South Carolina Economic Poison Law So As To Allow Clemson University To Retain Fees Provided For In This Article; To Amend Section 22-56 So As To Extend The Provisions Thereof To Military Personnel Involved In The Korean Conflict; To Amend Section 15, Of Act No. 1100, Acts And Joint Resolutions Of South Carolina 1964 Relating To The Issuance Of Bonds And Notes For The Mental Health Commission And Whitten Village So As To Provide For Their Payment Prior To Stated Maturities, And To Repeal Section 7 Of Part II Of Act 829, Acts And Joint Resolutions Of 1964, Relating To The Amount Of The General Fund Reserve At The End Of 1964-65.

Be it enacted by the General Assembly of the State of South Carolina:

PART I

Maintenance and Operation of State Government

SECTION 1

For the fiscal year 1965-66, except as hereinafter specifically provided, all general state revenues derived from taxation, licenses, fees, or from any other source whatsoever, and all institutional and depart-

mental revenues or collections, including income from taxes, licenses, fees, the sale of commodities and services, and income derived from any other departmental or institutional source or activity, shall be remitted to the State Treasurer as collected, when practicable, but at least on or before the last day of each month, for credit to the General Fund of the State. Each institution, department, or agency, in remitting such income to the State Treasurer, shall attach with each such remittance a report or statement, showing in detail the sources from which such income was derived, and shall, at the same time, forward a copy of such report or statement to the Comptroller General and the State Budget and Control Board. *Provided, however,* That refunds of such collections by state institutions, when properly approved by the authorities of same, may be made before remittance to the State Treasurer, so that, to such extent, the remittances, and the accompanying report or statement, shall be on the basis of net income. *Provided, further,* That revenues derived from the General Retail Sales Tax, and the State's portion of revenue derived from the Alcoholic Liquors Tax, shall be credited to a Special School Fund, and no payments shall be made from this fund except to cover appropriations herein made for the support of the public school system of the State, but any amount of such appropriations in excess of revenues credited to the Special School Fund shall be paid from the General Fund of the State.

SECTION 2

Subject to the terms and conditions of this Act, the sums of money set forth herein, if so much be necessary, be, and the same are, hereby appropriated out of the State Treasury, to meet the ordinary operating expenses of the State Government applicable to the fiscal year 1965-66, and for such other purposes as may be hereinafter specifically designated.

SECTION 3

Legislative Department

Item 1. The Senate:

A. Personal Service:

A-1. *Salaries:*

President .....$	1,500.00
President Pro Tempore	400.00
Senators (46 @ $2,400.00) ...	110,400.00
Clerk (In full for year)	12,600.00

Sergeant-at-Arms	788.00
Assistant Sergeant-at-Arms	788.00
Assistant Clerk	998.00
Secretary to President	788.00
Chaplain	368.00
General Desk Clerks (2)	1,680.00
Bill Clerks (3)	1,890.00
Journal Clerk	761.00
Journal Clerk	683.00
Reading Clerk	945.00
General Committee Clerks (3)	1,338.00
Amendment Clerks	1,050.00
Asst. Amendment Clerks (4)	840.00
Committee Sergeant	683.00
Steno-Clerk, Judiciary Com.	761.00
Steno-Clerk, Social Security and Education Committees	761.00
Stenographers, Finance Committee (3)	2,283.00
General Committee Stenographer	761.00
General Committee Stenographer	761.00
General Committee Stenographer	761.00
Keeper—President's Office	336.00
Keeper—Finance Committee Room	336.00
Keeper—Judiciary Committee Room	336.00
Doorkeepers (3)	1,260.00
Elevator Operators (4)	1,050.00
Pages (3)	1,102.00
Attendants (12)	2,520.00
Laborers	1,323.00
B. Contractual Services:	
B-2. Mileage (9¢ per mile)	12,600.00
Subsistence	28,200.00
Official Expense Allowance—President	800.00

C. Supplies:		
C-4. Postage (46 @ $15.00) ..	690.00	
E. Contingencies:		
Approved Accounts	125,000.00	
Total (Item 1) The Senate		$ 320,141.00
Item 2. House of Representatives:		
A. Personal Service:		
A-1. *Salaries:*		
The Speaker .....$	1,500.00	
Speaker Pro Tempore	400.00	
Representatives	297,600.00	
Clerk (in full for year)	12,600.00	
Assistant Clerk	998.00	
Journal Clerk	761.00	
Bill Clerks	2,283.00	
Reading Clerk	945.00	
Bill Clerk and General Committee Clerk	630.00	
Steno-Clerk, Ways and Means Committee	761.00	
Steno-Clerk, Judiciary Committee	761.00	
General Committee Clerks (2)	1,522.00	
General Desk Clerk	840.00	
General Desk Clerk	840.00	
General Clerk and/or Stenographer	761.00	
General Committee Stenographers (2)	1,522.00	
Sergeant-at-Arms	788.00	
Assistant Sergeant-at-Arms ..	788.00	
Secretary to the Speaker	788.00	
Amendment Clerks	1,522.00	
Stenographer	761.00	
Chaplain	368.00	
Committee Sergeant	683.00	
Chief Page	473.00	
Asst. Chief Page	420.00	
Pages (12)	4,410.00	

Doorkeepers (3)	1,260.00	
Laborers (3)	1,260.00	
Elevator Operators (4)	1,050.00	
B. Contractual Services:		
B-2. Mileage (9¢ per mile)	35,000.00	
Subsistence	74,400.00	
Official Expense Allowance—Speaker	800.00	
C. Supplies:		
C-4. Postage (124 @ $15.00)	1,860.00	
E. Contingencies:		
Approved Accounts	125,000.00	
Total (Item 2) House of Representatives		$ 576,355.00
Item 3. Special Services for both Houses:		
A. Personal Service:		
A-1. *Salaries:*		
Clerk on Enrollment of Acts	$ 735.00	
Assistant Clerk on Enrollment of Acts	735.00	
Postmaster	630.00	
Assistant Postmaster	630.00	
Telephone Operators (2) (in full for session)	700.00	
Telephone Pages (2)	735.00	
Information Services (if so much be necessary)	500.00	
Laborers (3)	1,134.00	
Maid	315.00	
E. Contingencies:		
Approved Accounts	15,000.00	
Total (Item 3) Special Services for both Houses		$ 21,114.00

Item 4. Codification of Laws and Legislative Council:		
A. Personal Service:		
A-1. *Salaries:*		
Code Commissioner and Director of Legislative Council (In full for year)	$ 15,000.00	
Asst. Code Commissioner and Asst. Director of Legislative Council (In full for year	11,500.00	
Attorney (In full for year)	10,500.00	
Attorney (In full for year)	10,500.00	
Lawyers	4,830.00	
Stenographers	8,374.00	
Clerk	761.00	
Clerical Help	2,000.00	
Pages	473.00	
A-2. Wages:		
Porter	683.00	
A-3. Special Payments:		
Per Diem and Travel of Committee on Statutory Laws	1,200.00	
B. Contractual Services:		
B-7. For Printing Code Supplement	16,000.00	
E. Contingencies:		
Approved Accounts	43,825.00	
Total (Item 4) Codification of Laws and Legislative Council		$ 125,646.00
Item 5. Clerk's Office (Clerk of the Senate):		
A. Personal Service:		
A-1. *Salaries:*		
Secretary	$ 3,056.60	
Bookkeeper	2,430.00	
A-2. Wages:		
Porter	551.40	

B. Contractual Services:		
B-3. Telephone and Telegraph ..	100.00	
C. Supplies:		
C-4. Office Supplies	150.00	
D. Fixed Charges and Contributions:		
D-1. Post Office Box Rent	12.00	
Total (Item 5) Clerk's Office (Clerk of the Senate)		$ 6,300.00
Item 6. Clerk's Office (Clerk of the House):		
A. Personal Service:		
A-1. *Salaries:*		
Secretary .....$	3,056.13	
Clerical Help	5,000.00	
A-2. Wages:		
Porter	902.06	
B. Contractual Services:		
B-3. Telephone and Telegraph ..	100.00	
C. Supplies:		
C-4. Office Supplies	125.00	
D. Fixed Charges and Contributions:		
D-1. Post Office Box Rent	18.00	
Total (Item 6) Clerk's Office (Clerk of the House) ...		$ 9,201.19
TOTAL (Legislative Department) ...		$ 1,058,757.19

Provided, That the Clerk of the House is authorized to have prepared a House Journal Index at a cost not to exceed Three Hundred ($300.00) Dollars, and the Clerk of the Senate is authorized to have prepared a Senate Journal Index at a cost not to exceed Three Hundred ($300.00) Dollars, same to be paid from approved accounts; *Provided, Further,* That the Comptroller General is authorized to honor warrants for operation of the offices of the Clerks of the House and Senate between sessions of the General Assembly on the approval of the clerk of each House. *Provided, Further,* That appropriations for salaries under this section shall be paid at such intervals and in such amounts as may be determined by the pre-

siding officer and/or Clerk of the respective branches of the General Assembly. *Provided, Further,* That the clerks of the respective legislative departments may pay laborers and porters for necessary work before the convening and after the adjournment of the General Assembly. *Provided, Further,* That all supplies and equipment for use of the General Assembly shall be purchased only upon written authority of either the Clerk of the Senate, Clerk of the House or the Legislative Council for the respective branches of the General Assembly, and that a copy of such written authority shall be attached to all warrants in payment thereof before such warrants are honored by the Comptroller General. *Provided, Further,* That the Clerk of the Senate may employ two additional clerks for his office between sessions at a salary of $178.00 bi-weekly, the same to be paid from approved accounts of the Senate. *Provided, Further,* That all employees of the General Assembly, with the exceptions of the Assistant Amendment Clerks and Attendants of the Senate, shall be paid for six (6) days of each week of the entire session, except that the Clerk of the House, the Clerk of the Senate, and the Director of the Legislative Council shall be paid no other compensation than that appropriated for those positions.

Provided, Further, That the Lieutenant Governor shall receive mileage as paid to members of the General Assembly during the sessions of the General Assembly.

Provided, Further, That the Clerks of the two (2) Houses are authorized to issue their warrants on Approved Accounts for necessary extra clerical or other services. *Provided, Further,* That necessary temporary clerical help for the Chairman of the Senate Finance, House Ways and Means Committees, the President of the Senate, and the Speaker of the House, may be paid from Approved Accounts of the respective Houses upon recommendation of the Chairmen, or the Speaker, or the President of the Senate, respectively. *Provided, Further,* That either the Sergeant-at-Arms or the Assistant Sergeant-at-Arms of the Senate and the House shall remain on duty from 9:00 A. M. to 5:00 P. M. during each day of the week between sessions, except that on Saturdays the hours of duty shall be from 9:00 A. M. to 1:00 P. M., for which the person performing these duties shall receive his regular per diem compensation for each day of actual duty. The duties of the Sergeant-at-Arms and/or Assistant Sergeant-at-Arms shall be those provided by the Code, the Rules of the respective Houses, those designated by the presiding officers of the various Houses, and in addition the Sergeant-

at-Arms and/or Assistant Sergeant-at-Arms of the respective Houses shall meet and escort visitors in and about their respective bodies and shall, during the hours of duty, be dressed in a distinctive manner so as to be easily identified as Sergeants-at-Arms. *Provided, Further,* That members of Legislative Committees shall be paid the regular per diem and expenses from Approved Accounts of the House which the respective committee members represent. *Provided, Further,* That the Sergeants-at-Arms are authorized to make necessary repairs to the Senate Chamber and the Hall of the House of Representatives between the 1965 and 1966 sessions of the General Assembly, and shall be paid therefor their regular per diem allowance for necessary time, but not to exceed sixty (60) days each for the Assistant Sergeants-at-Arms, and no such repairs shall be made except with the approval of the presiding officer. *Provided, Further,* That the joint committee consisting of six members, three from the Senate and three from the House, created in the 1945 Deficiency Bill to investigate the feasibility of completing the State House according to the plans of the original architect, or according to plans which might be considered more suitable, is hereby increased to include the presiding officers of the two Houses, and the Committee is authorized to continue such work.

Provided, That the Legislative Council is authorized to employ additional stenographic or other help between sessions as the Council may deem necessary at such salary or salaries as the Council may set, to be paid from approved accounts.

Provided, Further, That the Clerks of the two Houses of the General Assembly are hereby authorized and directed to have printed all State-wide Acts immediately after their approval by the Governor, and to place upon the desk of each member of the General Assembly, within one week after the approval date, a copy of said Acts, and to mail another copy to the home address of each member of the General Assembly, and three copies to each Clerk of Court in the State, and to the head of each State department and Institution, and to the Chief Justice and Associate Justices of the Supreme Court and each Judge of the Judicial Circuits. Likewise, printed copies of local Acts approved by the Governor shall be furnished to the members of the Legislative Delegation from the County involved. The Secretary of State shall notify the respective Clerks immediately upon receipt of all Acts approved by the Governor and make such Acts available to them for proof reading. All expenses in connection with the distribu-

tion of said approved Acts shall be paid from Approved Accounts for special services for both Houses.

Provided, Further, That copies of printed advance sheets of the Acts of the General Assembly shall be supplied to the County Clerks of Court and County Boards of Commissioners.

Provided, Further, That for each session of the General Assembly all attaches and/or employees of the General Assembly shall receive as additional compensation an increase of ten percent over the rate paid for the 1956 session. Such sums shall be paid from the Approved Accounts of the respective Houses, services to both Houses, and the Legislative Council.

Provided, Further, That the salaries of all Legislative employees and attaches shall be increased 3% of the rate paid during the fiscal year 1964-65 but not in excess of $300.00 for any such employee or attache, the cost of these increases to be paid from approved accounts of the respective divisions of the Legislative Department.

Provided, The Director of the Legislative Council is hereby directed to provide sufficient copying machine equipment and supplies to adequately meet the requirements of members of the General Assembly and to employ the necessary help to operate the equipment, the cost of which shall be paid from Approved Accounts of Special Services for both houses.

SECTION 4

Judicial Department

Item 1. Supreme Court:

A. Personal Service:

A-1. *Salaries:*

Chief and Associate Justices	$ 98,000.00
Clerk	6,300.00
Reporter	3,780.00
Librarian	5,040.00
Stenographers (3)	11,876.00
Stenographers—Chief and Associate Justices	22,035.00
Legal Assistant to Chief Justice	7,875.00
Attendant	2,888.00
Retired Justices (1)	13,000.00
Widows of Justices (2)	8,777.00
Chaplain	180.00

A-2. Wages:		
Messenger	231.00	
A-3. Special Payments:		
Extra Steno Services	200.00	
B. Contractual Services:		
B-2. Travel	6,000.00	
B-3. Telegraph and Telephone	2,500.00	
B-4. Repairs	1,000.00	
C. Supplies:		
C-4. Office Supplies	5,000.00	
D. Fixed Charges and Contributions:		
D-1. Rents	39.00	
Office Expenses—Chief and Associate Justices	3,000.00	
D-2. Insurance	10.50	
G. Equipment:		
G-1. Office Equipment	2,000.00	
G-7. Educational Equipment:		
Library:		
Books	6,000.00	
South Carolina Reports	3,862.00	
Total (Item 1) Supreme Court		$ 209,593.50
Item 2. Circuit Courts:		
A. Personal Service:		
A-1. *Salaries:*		
Circuit Judges (15)	$ 292,500.00	
Retired Judges (1)	13,000.00	
Widows of Judges (5)	21,665.00	
Circuit Stenographers (15)	128,700.00	
A-3. Special Payments:		
Special Circuit Judges	1,000.00	
B. Contractual Services:		
B-2. Travel	35,000.00	
Official Expense (Circuit Stenographers 15)	4,500.00	
G. Equipment:		
Equipment for Circuit Stenographers	18,750.00	
Total (Item 2) Circuit Courts		$ 515,115.00

Item 3. Board of Law Examiners:		
A. Personal Service:		
A-3. Special Payments (3 Members)		$ 2,400.00
Item 4. Board of Commissioners on Grievances and Discipline		10,000.00
For Salary and Wage Adjustments		5,437.00
TOTAL (Judicial Department)		$ 742,545.50

Provided, That the salaries provided herein for Circuit Stenographers shall be in full for all services to the Circuit Courts, except where specific appropriations are made by any of the counties in the respective circuits to supplement these salaries, and except for income derived by the said Circuit Stenographers from transcripts.

SECTION 5

Governor's Office

Item 1. Executive Control of State:	
A. Personal Service:	
A-1. *Salaries:*	
Governor	$ 20,000.00
Executive Secretary	11,030.00
Agricultural and Administrative Assistant	11,030.00
Press Secretary	11,030.00
Legal Assistant	11,030.00
Stenographers	32,005.00
A-2. Wages—Messenger-Porter	2,682.50
A-3. Special Payments—Extra Clerical	5,219.00
B. Contractual Services:	
B-2. Travel and Promotional Expense	13,000.00
B-3. Telegraph and Telephone	10,000.00
B-4. Repairs	1,000.00
C. Supplies:	
C-4. Office Supplies	8,000.00

D. Fixed Charges and Contributions:		
D-1. Rents	30.00	
State Office Building Rental	6,216.96	
D-3. Association Dues	100.00	
G. Equipment:		
G-1. Office Equipment	1,000.00	
Total (Item 1) Executive Control of State		$ 143,373.46
Item 2. Mansion and Grounds:		
A. Personal Service:		
A-2. Wages	$ 17,000.00	
B. Contractual Services:		
B-3. Telegraph and Telephone	3,000.00	
B-6. Water, Heat, Light and Power	3,000.00	
C. Supplies	15,000.00	
C-9. Agricultural Supplies	300.00	
D. Fixed Charges and Contributions:		
D-2. Insurance	300.00	
G. Equipment:		
G-3. Household Equipment	5,000.00	
G-5. Agricultural Equipment	300.00	
Total (Item 2) Mansion and Grounds		$ 43,900.00
Item 3. Law Enforcement:		
A. Personal Service:		
A-1. *Salaries:*		
Governor's Officers	$ 316,308.00	
A-3. Special Payments	5,000.00	
Operating Expense	198,228.00	
Intra-State Teletype Network	61,356.12	
Total (Item 3) Law Enforcement		$ 580,892.12

Item 4. Identification Bureau:		
Maintenance of Bureau	$	10,000.00
For Salary and Wage Adjustments		12,367.00
TOTAL (Governor's Office)	$	790,532.58

Provided, That one of the Governor's Officers shall be assigned exclusively to the duty of investigating and determining the origin of forest fires.

SECTION 6

Lieutenant's Governor's Office

SECTION 7

Secretary of State

Item 1. Keeping State Records:		
A. Personal Service:		
A-1. *Salaries:*		
Secretary of State	$	15,000.00
Deputy Secretary of State		10,000.00
Corporation Clerk		5,848.00
Secretary		4,290.00
Clerk-Stenographer		4,290.00
Clerk-Stenographer		3,780.00
A-2. Wages:		
Porter		576.00
A-3. Special Payments:		
Clerical Help		400.00
B. Contractual Services:		
B-2. Travel		1,500.00
B-3. Telegraph and Telephone .		550.00
B-4. Repairs		150.00
C. Supplies:		
C-4. Office Supplies		6,000.00
D. Fixed Charges and Contributions:		
D-1. State Office Building Rental		7,514.88
D-2. Insurance		325.00
D-3. Association Dues		100.00

G. Equipment:		
G-1. Office Equipment	1,000.00	
Total (Item 1) Keeping State Records		$ 61,323.88
Item 2. Administration of Securities Act:		
A. Personal Service:		
A-1. *Salaries:*		
Deputy Securities Commissioner .....$	9,240.00	
Accountant-Investigator	6,930.00	
Secretary	4,200.00	
Secretary	3,465.00	
A-3. Special Payments:		
Clerical Stenographic Help ...	500.00	
B. Contractual Services:		
B-2. Travel	750.00	
B-3. Telegraph and Telephone ..	600.00	
B-4. Repairs	100.00	
C. Supplies:		
C-4. Office Supplies	2,000.00	
D. Fixed Charges and Contributions:		
D-2. Premiums on Bonds	36.00	
D-3. Association Dues	100.00	
G. Equipment:		
G-1. Office Equipment	300.00	
Total (Item 2) Administration of Securities Act		$ 28,221.00
For Salary and Wage Adjustments		1,533.00
GRAND TOTAL (Secretary of State)		$ 91,077.88

SECTION 8

Comptroller General's Office

Item 1. Executive Control of Accounts:		
A. Personal Service:		
A-1. *Salaries:*		
Comptroller General	$ 15,000.00	
Deputy Comptroller	10,000.00	
Accountants	14,070.00	
Auditors	22,890.00	
Bookkeepers	26,250.00	
Clerks	40,673.00	
A-2. Wages	1,171.00	
A-3. Special Payments:		
Clerical Help	4,200.00	
B. Contractual Services:		
B-2. Travel	1,300.00	
B-3. Telegraph and Telephone	1,600.00	
B-4. Repairs	2,400.00	
C. Supplies:		
C-4. Office Supplies	9,000.00	
D. Fixed Charges and Contributions:		
D-1. Rents	39.00	
State Office Building Rental	6,142.08	
D-2. Insurance	400.00	
D-3. Contributions	50.00	
G. Equipment:		
G-1. Office Equipment	2,000.00	
For Salary and Wage Adjustments	3,452.00	
Total (Item 1) Executive Control of Accounts		$ 160,637.08
Item 2. Counties:		
A. Personal Service:		
A-1. *Salaries:*		
County Auditors	$ 191,406.00	
County Treasurers	191,406.00	

B. Contractual Services:		
B-5. Printing and Advertising ..	73,000.00	
Settlements with Counties	6,000.00	
Total (Item 2) Counties		$ 461,812.00
Item 3. Elections:		
A. Personal Service:		
A-1. *Salaries:*		
Supervisors of Registration ..	$ 96,600.00	
B. Contractual Services:		
B-7. Election Expenses	25,000.00	
Total (Item 3) Elections		$ 121,600.00
Item 4. Confederate Pensions:		
A. Personal Service:		
A-3. Special Payments:		
Per Diem of Board	100.00	
D. Fixed Charges and Contributions:		
D-3. Contributions:		
Confederate Pensions	20,400.00	
Total (Item 4) Confederate Pensions		$ 20,500.00
TOTAL (Comptroller General's Office)		$ 764,549.08

Provided, That widows of Confederate veterans, who have attained the age of ninety (90) years, shall receive as pension the sum of Six Hundred ($600.00) Dollars per year each, and that all others entitled to pensions under statute shall receive Two Hundred ($200.00) Dollars each per year. *Provided, Further,* That not more than one pension shall be allowed or paid after the death of a pensioner, the said amount after death being for the purpose of defraying the funeral expenses of the said pensioner, but such funeral expenses shall not exceed the sum of Three Hundred ($300.00) Dollars. *Provided, Further,* That for the year 1965-66 pensions shall be paid directly from the office of the Comptroller General, in a single payment, and as early after the beginning of the fiscal year as may be practical.

Provided, Further, The Comptroller General is hereby authorized to deputize any clerk or clerks in his employ to sign, in his stead,

warrants drawn against the treasurer in payment of fixed appropriated items including salaries and other routine payments, or to employ the use of a mechanical signer, and the State Treasurer is hereby authorized to accept such signatures when notified by the Comptroller General; *Provided,* That this provision shall in no way relieve the Comptroller General of responsibility.

Provided, That for the fiscal year 1965-66 the state shall pay on the salaries of County Auditors and Treasurers $4,161.00 each.

Provided, Further, That for the fiscal year 1965-66 Commissioners of State and County General Elections shall receive as expenses the sum of $150.00 per year, payable quarterly, and Managers and Clerks of such elections shall receive a per diem of $6.00 per day; but Managers shall not be paid for more than one day for any election, and Clerks for not more than 3 days for any election.

Provided, Further, that the amount appropriated in this section for Supervisors of Registration shall be disbursed quarterly for three supervisors per county at the rate of $700.00 per year.

SECTION 9

Attorney General

Item 1. For Administration:

A. Personal Service:

A-1. *Salaries:*

Attorney General .....$	15,000.00
First Assistant Attorney General	11,655.00
Assistant Attorney General ..	11,550.00
Assistant Attorneys General (7)	65,650.00
Assistant Attorney General ..	10,316.00
Assistant Attorney General ..	10,211.00
Assistant Attorney General ..	8,111.00
Circuit Solicitors (15)	155,925.00
Assistant Attorney General ..	6,300.00
Assistant Attorney General ..	7,500.00
Executive Secretary—Law Clerk	7,350.00
Secretaries (4)	16,830.00
Clerk	3,150.00
Extra Stenographic Help	6,000.00
Law Clerk—P. T.	1,200.00
General Counsel—Public Service Commission	6,762.00

A-2. Wages:		
Porter	173.00	
B. Contractual Services:		
B-2. Travel	2,500.00	
Expense Allowance (Solicitors)	9,000.00	
B-3. Telegraph and Telephone	5,000.00	
B-4. Repairs	500.00	
C. Supplies:		
C-4. Office Supplies	1,500.00	
D. Fixed Charges and Contributions:		
D-1. Post Office Box Rent	24.00	
State Office Building Rental	12,309.12	
D-2. Insurance (Official Bonds)	125.00	
D-3. Contributions	150.00	
G. Equipment:		
G-1. Office Equipment	1,000.00	
For Salary and Wage Adjustments	9,364.00	
Total (Item 1) For Administration		$ 385,155.12
Item 2. For State Litigation:		
A. Personal Service:		
A-3. Special Payments	$ 5,150.00	
B. Contractual Services:		
B-2. Travel	23,350.00	
B-5. Printing and Advertising	3,000.00	
C. Supplies:		
C-4. Office Supplies	7,500.00	
Total (Item 2) For State Litigation		$ 39,000.00
TOTAL (Attorney General)		$ 424,155.12

Provided, That the Attorney General is hereby authorized to contract for the collection of debts, claims or obligations due to the State, or any of its departments or institutions.

Provided, Further, That unless otherwise provided herein, no department or agency of the State government shall employ attorneys except upon the advice and with the consent of the Attorney General in writing. Any fees to be paid such attorneys shall be approved by the Attorney General. This shall not apply to employ-

ment of attorneys in special cases in inferior courts where the fee to be paid does not exceed Twenty-five ($25.00) Dollars.

Provided, Further, That the Attorney General shall assign one of his assistants as counsel for the South Carolina Tax Commission, one to perform all necessary legal duties of the South Carolina Industrial Commission, one to perform necessary legal work for the Insurance Department, and one as general counsel of the South Carolina Public Service Commission, but the personnel so designated shall also perform any other duties that may be assigned by the Attorney General.

Provided, Further, That the assessment against Public Utilities for the support of the Public Service Commission shall include a sufficient amount to cover the compensation and expenses of attorneys assigned by the Attorney General to the Public Service Commission.

Provided, Further, That necessary stenographic and other expenses of the attorneys assigned to other departments shall be borne by the Department to which the said attorneys are assigned.

SECTION 10

State Treasurer's Office

Item 1. Receiving and Disbursing Funds:

A. Personal Service:	
A-1. *Salaries:*	
Treasurer	$ 15,000.00
Assistant Treasurer	10,000.00
Deputy	6,584.00
Chief—Bond Section	6,930.00
Bond Clerk	5,775.00
Auditor	6,741.00
Corporation Clerk	5,544.00
Securities Clerk	5,544.00
Disbursing Clerk	3,896.00
Bookkeepers (4)	24,442.00
Senior Clerk	4,562.00
A-2. Wages:	
Porter	593.40
A-3. Special Payments:	
Extra Clerical Help	1,300.00
For Salary and Wage Adjustments	2,628.00

B. Contractual Services:		
B-2. Travel	3,000.00	
B-3. Telegraph and Telephone	1,600.00	
B-4. Repairs	1,200.00	
B-5. Printing and Advertising	1,000.00	
C. Supplies:		
C-4. Office Supplies	2,500.00	
D. Fixed Charges and Contributions:		
D-1. Rents	90.00	
State Office Building Rental	6,735.36	
D-2. Insurance	4,200.00	
D-3. Contributions (Association Dues)	80.00	
D-4. Service Charges	100.00	
G. Equipment:		
G-1. Office Equipment	1,000.00	
Total (Item 1) Receiving and Disbursing Funds		$ 121,044.76
Item 2. Administration Expense Withholding Tax:		
A. Personal Service:		
A-1. *Salaries:*		
Auditor	$ 6,720.00	
IBM Supervisor	5,775.00	
B. Contractual Services:		
B-4. Repairs	100.00	
C. Supplies:		
C-4. Office Supplies	1,000.00	
D. Fixed Charges and Contributions:		
D-1. Rents	6,860.00	
G. Equipment:		
G-1. Office Equipment	1,000.00	
Total (Item 2) Administration Expense Withholding Tax		$ 21,455.00

Item 3. Payment of Bonded Debt:	
D. Fixed Charges and Contributions:	
D-4. Payment of Bonded Debt:	
Interest on Agricultural College Stock:	
July 1, 1965	5,754.00
January 1, 1966	5,754.00
Interest on Clemson Perpetual Stock:	
July 1, 1965	1,756.18
January 1, 1966	1,756.18
Principal and Interest Payment on Whitten Village and John G. Richards Ind. Sch. Notes:	
October 15, 1965 Principal.	100,000.00
October 15, 1965 Interest ..	1,500.00
Principal and Interest Payments on State Ports Bonds:	
September 1, 1965 Principal	300,000.00
September 1, 1965 Interest..	66,300.00
March 1, 1966 Interest	61,200.00
Principal and Interest Payments on State Ports Bonds:	
September 1, 1965 Interest..	60,937.50
March 1, 1966 Interest	60,937.50
March 1, 1966 Principal	250,000.00
Principal and Interest Payments on State Ports Bonds:	
December 1, 1965 Interest ..	82,875.00
June 1, 1966 Principal	500,000.00
June 1, 1966 Interest	82,875.00
Principal and Interest Payment on State Ports Bonds:	
December 1, 1965 Principal.	50,000.00
December 1, 1965 Interest..	12,750.00
June 1, 1966 Interest	12,000.00
Principal and Interest Payments on Stadium Notes:	
October 1, 1965 Principal...	40,000.00

October 1, 1965 Interest	6,400.00
April 1, 1966 Interest	5,600.00
Principal and Interest Payments on Stadium Notes:	
August 1, 1965 Interest	5,500.00
August 1, 1965 Principal ..	20,000.00
February 1, 1966 Interest ..	5,000.00
Institutional and Armory Bonds (1958):	
August 1, 1965 Interest ...	12,750.00
February 1, 1966 Interest ..	12,750.00
February 1, 1966 Principal ..	212,500.00
Principal and Interest Payments on Archives Building Note:	
July 1, 1965 Principal	20,000.00
July 1, 1965 Interest	2,250.00
January 1, 1966 Interest	1,800.00
Principal and Interest Payments on Medical College and Board of Corrections Notes (1963):	
July 1, 1965 Interest	27,337.50
July 1, 1965 Principal	90,000.00
January 1, 1966 Interest ..	25,312.50
Principal and Interest Payments on S. C. School for Boys Note:	
July 1, 1965 Interest	2,115.00
January 1, 1966 Principal ..	6,000.00
January 1, 1966 Interest ...	1,980.00
Principal and Interest Payments on S. C. School for Boys Notes (1964):	
July 1, 1965 Interest	900.00
July 1, 1965 Principal	2,000.00
January 1, 1966 Interest ..	855.00
Principal and Interest Payments on Board of Corrections Notes:	
November 1, 1965 Interest ..	28,237.50
May 1, 1966 Principal	90,000.00
May 1, 1966 Interest	28,237.50

Principal and Interest Payments on State of S. C. Notes (Armories 1964):		
November 1, 1965 Interest ..	5,512.50	
May 1, 1966 Interest	5,512.50	
May 1, 1966 Principal	20,000.00	
Principal and Interest Payments on Clemson University and John G. Richards Industrial School Notes (1964):		
September 1, 1965 Principal	18,000.00	
September 1, 1965 Interest .	6,232.50	
March 1, 1966 Interest	5,827.50	
Total (Item 3) Payment of Bonded Debt		$ 2,365,005.36
Total (State Treasurer's Office) ..		$ 2,507,505.12

Provided, That seven and one-half (7½%) per cent of the state income taxes collected between July 1, 1965 and June 30, 1966, shall be allocated to the Counties of the State. Within thirty (30) days after the close of each quarter, the State Treasurer shall remit to each county of the State its percentage of the net income of such income taxes collected, according to his records, during the quarter just preceding. If, because of refunds by the Tax Commission, or for any other reason, it should develop that an overpayment shall have been made to any or all of the counties, the State Treasurer is authorized and directed to withhold from subsequent payments a sufficient amount to adjust same to the terms of this provision. The amount herein allocated to the counties shall be distributed in accordance with the provisions of Section 5, Part II, Act No. 207, Acts of 1961.

SECTION 11

Adjutant General's Office

Item 1. Administration:		
A. Personal Service:		
A-1. *Salaries:*		
Adjutant General .....$	15,000.00	
Assistant Adjutant General ...	7,350.00	
Secretary	5,512.00	
Personnel Officer	6,384.00	

Operations Officer	6,384.00
Clerk	3,990.00
Clerk	3,360.00
Stenographers	6,720.00
Steno-Clerks	9,660.00
Clerks	9,450.00
Armorer	3,465.00
A-2. Wages	12,517.00
A-3. Special Payments	2,000.00
For Salary and Wage Adjustments	1,973.00
B. Contractual Services:	
B-2. Travel	4,000.00
B-3. Telegraph and Telephone	5,050.00
B-4. Repairs	30,000.00
B-6. Water, Heat, Light and Power	6,000.00
B-7. Other Contractual Services	1,000.00
C. Supplies:	
C-2. Fuel Supplies	5,000.00
C-4. Office Supplies	2,500.00
C-8. Motor Vehicle Supplies	950.00
C-12. Other Supplies	1,500.00
D. Fixed Charges and Contributions:	
D-1. State Office Building Rental	10,339.20
D-2. Insurance	13,500.00
D-3. Contributions (Assn. Dues)	1,225.00
D-4. Other Fixed Charges (Co. Maintenance Fund)	65,000.00
Officers Candidate School (Pal. Mil. Acad.)	12,000.00
G. Equipment:	
G-1. Office Equipment	1,000.00
G-4. Motor Vehicles and Equipment	3,000.00
G-8. Other Equipment	1,000.00
GRAND TOTAL (Adjutant General)	$ 256,829.20

Provided, That the Adjutant General is authorized to compensate the Director of the S. C. Retirement System for administering social security coverage for the technician employees of the S. C. National Guard.

SECTION 12

University of South Carolina

For Maintenance	$ 5,679,328.00	
Operation of Law Enforcement Training School	20,000.00	
Branch Operation	334,000.00	
Bureau of Governmental Research and Service	30,000.00	
Bureau of Business and Economic Research	37,500.00	
School of Nursing Extension	102,000.00	
For Salary and Wage Adjustments	160,785.00	
TOTAL (University of South Carolina)		$ 6,363,613.00

Provided, out of the funds appropriated in this act, the University of South Carolina is requested to institute a nurse training program in 1965-66 in accord with plans and budget estimates contained in the "Report of the Governor's Committee to Lend Support and Leadership to Nursing in South Carolina" dated February 9, 1965.

Provided, Further, That the fees and tuition to be charged to students in the nurse training program shall be set by the University.

SECTION 13

The Citadel

For Maintenance	$ 1,619,813.00	
For Debt Service on Stadium Bonds	10,525.00	
For Salary and Wage Adjustments	58,851.00	
TOTAL (The Citadel)		$ 1,689,189.00

SECTION 14

Clemson University (Educational and General)

For Maintenance	$ 4,745,527.00
Engineering Research	70,000.00
Teaching and Research in Water and Sewerage	10,000.00

For Salary and Wage Adjustments	136,050.00
TOTAL Clemson University (Educational and General)	$4,961,577.00

Provided, out of the funds appropriated in this act, Clemson University is requested to institute a nurse training program in 1965-66 in accord with plans and budget estimates contained in the "Report of the Governor's Committee to Lend Support and Leadership to Nursing in South Carolina" dated February 9, 1965.

Provided, Further, That the fees and tuition to be charged to students in the nurse training program shall be set by the University.

SECTION 15

Winthrop College

For Maintenance	$2,357,850.00
For Salary and Wage Adjustments	54,139.00
Total (Winthrop College)	$2,411,989.00

Provided, That the Trustees of Winthrop College are authorized to continue the employment of Mrs. D. B. Johnson, widow of the founder of Winthrop College, regardless of retirement age.

SECTION 16

State Medical College

Medical College Maintenance	$1,742,177.00
For Cancer Clinics	165,000.00
Cardiac Clinic	25,000.00
Psychiatric Residency Training	20,000.00
Medical College Hospital	1,599,935.00
Dental School Division	80,000.00
School of Nursing	286,000.00
For Salary and Wage Adjustments	129,714.00
Total (State Medical College)	$4,047,826.00

Provided, That out of the amount appropriated in this section the sum of $8,000.00, or so much thereof as may be necessary, shall

be used to cover the costs of scholarships provided in Act No. 800 of the Acts of 1948.

Provided, Further, That the appropriation provided in this Section for Psychiatric Residency Training shall be used by the authorities of the State Medical College to provide stipends in a career type program of psychiatric residency training at rates of $8,000.00 for the first year, $9,000.00 for the second year and $10,000.00 for the third year for each such trainee. Any individual accepting such a residency shall legally obligate himself, or herself, to serve at least an equivalent amount of time, on completion of such training, in one of the State operated mental institutions, such as the South Carolina Mental Health Commission, Whitten Village, and the various community mental health clinics.

Provided, Further, That any balance on June 30, 1965, in the 1964-65 appropriation for the Medical College Hospital may be carried forward and expended for the same purpose during the fiscal year 1965-66.

SECTION 17

S. C. State College

For Maintenance	$ 1,885,204.00
For Salary and Wage Adjustments	43,162.00
Total (S. C. State College)	$ 1,928,366.00

Provided, That the Board of Trustees of S. C. State College is hereby authorized to establish and maintain Graduate, Law, and Medical departments, and such other departments as may be deemed practicable and necessary to provide training in all lines of college activities for students attending this College, and to fix tuition fees for such courses commensurate with the costs thereof and in line with similar tuition charges at other state institutions.

SECTION 18

John de la Howe School

Administration	$ 41,850.00
Education	69,250.00
Dietary	29,783.00
General Plant	88,541.00
Farm	11,841.00
Dairy	16,497.00

Infirmary	12,893.00	
Laundry	6,628.00	
For Salary and Wage Adjustments	6,123.00	
TOTAL (John de la Howe School)		$ 283,406.00

SECTION 19

School for the Deaf and the Blind

Administration	$ 38,399.00	
Education	435,119.00	
Infirmary	14,137.00	
General Plant	224,221.00	
Dietary	149,506.00	
For Salary and Wage Adjustments	24,656.00	
TOTAL (School for the Deaf and the Blind)		$ 886,038.00

SECTION 20

Superintendent of Education's Office

Item 1. Superintendence:		
A. Personal Service:		
A-1. *Salaries:*		
Superintendent of Education	$ 15,000.00	
Secretary	5,651.00	
Total Item 1 (Superintendence)		$ 20,651.00
Item 2. State Board of Education:		
A-3. Special Payments:		
Per Diem of Board	$ 3,000.00	
B. Contractual Services:		
B-2. Travel	6,000.00	
B-7. Board Expenses	10,000.00	
Other State Board Expenses	5,000.00	
Total Item 2 (State Board of Education)		$ 24,000.00

Item 3. State Department of Education—General:	
Division of Special Services, Public Information and School Administration:	
A. Personal Service:	
A-1. *Salaries:*	
Director ..... $	7,972.00
Secretary	3,577.00
Editor — Professional Publications	5,760.00
School Lunch Program:	
Supervisor	7,379.00
Assistant Supervisor	6,061.00
Supervisor—Food Distribution	5,324.00
Asst. Supervisor—Food Distribution	6,000.00
Steno-Bookkeeper	3,849.00
Clerks (3)	9,801.00
Division of Finance:	
A. Personal Service:	
A-1. *Salaries:*	
Director	7,371.00
Supervisor—Budget and Personnel	4,979.00
State Aid Accountant	5,460.00
Supervisor Statistical Reports.	5,460.00
Supervisor Tabulating Installation	4,823.00
Steno-Bookkeeper	4,043.00
Auditors	9,009.00
Supervisor—School Attendance	6,006.00
Punch Machine Operator	3,250.00
Punch Machine Operator	3,250.00
Machine Operator	4,004.00
A-2. Wages:	
Porter	1,186.00
A-3. Special Payments:	
Accountants—Part Time	9,000.00

B. Contractual Services:	
B-1. Freight, Express and Delivery	25.00
B-2. Travel	42,000.00
B-3. Telephone and Telegraph	6,200.00
B-4. Repairs	800.00
B-5. Printing and Advertising:	
Printing—Educational Bulletins	6,000.00
C. Supplies:	
C-4. Office Supplies	17,000.00
C-7. Educational Supplies	300.00
C-8. Motor Vehicle Supplies	300.00
D. Fixed Charges and Contributions:	
D-1. Rents	15,680.00
State Office Building Rental	74,621.60
D-2 Insurance—Bond Premiums	318.68
D-3. Contributions (Association Dues)	1,300.00
G. Equipment:	
G-1. Office Equipment	3,000.00
Division of Teacher Education and Certification:	
A. Personal Service:	
A-1. *Salaries:*	
Director	$ 7,865.00
Secretary	3,904.00
Supervisors (2)	11,882.00
Steno-Clerk	3,497.00
Chief Clerk	4,290.00
Trades Certificate Clerk	3,926.00
Recertification Clerk	3,497.00
Recertification Clerk	3,367.00
Steno-Clerk	3,497.00
Transcript Clerk	3,471.00
Clerk	3,146.00
A-3. Special Payments:	
Clerical Help	12,232.00
D. Fixed Charges and Contributions:	
D-4. Other Fixed Charges:	
Certification Expense	25,000.00

Division of Instruction:

A. Personal Service:

A-1. *Salaries:*

Director	$	7,371.00
Secretary		3,003.00
Field Supervisors (2)		12,558.00
Chief Supervisor Secondary Education		7,267.00
Secretarial Assistant		4,667.00
Secretary		3,575.00
Chief Supervisor of Elementary Education		7,124.00
Supervisor, Primary Education		6,110.00
Stenographer		3,081.00
Supervisor Physical Education		7,397.00
Supervisor Health Education		6,578.00
Stenographer		3,224.00
General Supervisor		6,968.00
Assistant General Supervisor		6,006.00
Stenographer		3,250.00
Asst. Supv.—Elementary Education		5,538.00
Stenographer		3,172.00
Supervisor Library Science		5,668.00
Supervisor Adult Education		5,850.00
Supervisor Audio Visual Aid		6,136.00
Supervisor Special Education		6,825.00
Asst. Supv.—Special Education		7,500.00
Stenographer		3,250.00
State Supervisor of Music		7,878.00
Supervisor—Social Studies		8,500.00
Stenographer		3,400.00

Total Item 3 (State Department of Education—General)	$	532,579.28

Item 4. Special Services:	
A. Personal Service (Veteran's Education):	
A-1. *Salaries:*	
Director	6,240.00
Secretary	3,850.00
Stenographer	3,184.00
Hard-of-Hearing and Speech Therapy Program:	
A-1. *Salaries:*	
Supervisor	7,371.00
Stenographer	3,194.00
Technical Assistant	6,300.00
Hearing and Speech Correctionist	5,788.00
Hearing and Speech Correctionist	5,269.00
Field Representative	4,941.00
B. Contractual Services:	
B-1. Printing for Public Schools	15,000.00
D. Fixed Charges and Contributions:	
D-4. Other Fixed Charges:	
Aid to Handicapped, Hard-of-Hearing, and Speech Therapy Program	18,000.00
Education of Mentally and Physically Handicapped Children	35,000.00
Curriculum Development and Research	20,000.00
State Aid for Teachers' Salaries	83,987,130.00
Non-Teaching Principals, Supervisors and Special Teachers	2,903,073.00
Supervision and Overhead	3,246,950.00
Maintenance and Operation	4,058,687.50
County Attendance Supervisors	166,796.00
County School Lunch Supervisors	166,796.00
School Lunch Program Aid	165,000.00

County Superintendents of Education	239,292.00	
For Matching Federal Funds under National Defense Education Act:		
For Strengthening Curriculum—Title III	36,334.50	
For Guidance, Counseling and Testing—Title V	14,249.00	
For Improvement of Statistical Services—Title X	10,457.00	
Audio Visual Aids Library for Public Schools	150,000.00	
Total Item 4 (Special Services)		$95,278,902.00
Item 5. Special Schools:		
D. Fixed Charges and Contributions:		
D-4. Other Fixed Charges:		
Adult Schools	$ 61,121.00	
Area Trade Schools	491,811.00	
Total Item 5 (Special Schools)		$ 552,932.00
Item 6. Vocational Education:		
D. Fixed Charges and Contributions:		
D-4. Other Fixed Charges:		
Agriculture	$ 1,302,443.28	
Home Economics	975,500.00	
Trades and Industries	702,322.00	
Ancillary Services and Development of Instruction	59,890.00	
Office Occupations	12,825.00	
Distributive Education	75,135.76	
Teacher Training	15,000.00	
Vocational Agriculture Camps	2,500.00	
Home Economics Girls' Camps	5,000.00	
Trades and Industries—Camp Improvements	2,500.00	

Matching Federal Funds Area Vocational Education Programs	25,000.00	
Total Item 6 (Vocational Education)		$ 3,178,116.04
Item 7. State Scholarship Grants: (Act 297—1963)		$ 125,000.00
For Salary and Wage Adjustments		21,876.00
TOTAL (Superintendent of Education)		$99,734,056.32

Provided, That the number of teachers qualifying for State Aid in 1965-66 shall be determined on the basis of average daily attendance of either the year 1964-65 or 1965-66.

Provided, Further, That notwithstanding the amount listed in Item 4 as "State Aid for Teachers' Salaries" there is hereby appropriated for the fiscal year 1965-66 whatever amount is necessary to comply with the then existing salary schedule to those teachers who qualify by law for State Aid.

Provided, Further, that so much as may be necessary of the appropriation for payment of teachers' salaries, and for supervision and overhead, provided in Item 4 of this section, may be used to correct erroneous payments of prior years, which were due to improper classification or other justifiable causes.

Provided, Further, That the amount appropriated herein under Item 4 for County School Lunch Supervisors shall be used for the payment of salaries of one supervisor for each county at the rate of $3,626.00 each per year, and no such salary shall be supplemented from funds provided in Item 4, of this Section, for "School Lunch Program Aid".

Provided, Further, That the amount appropriated herein under Item 4 for Aid to Counties in the School Lunch Program shall be divided among the County Boards of Education of the State upon the basis of the number of schools participating in the School Lunch Program in each County in the school year 1964-65. *Provided, Further,* that travel expense of County School Lunch Supervisors shall be paid out of this appropriation at the prevailing rate of mileage allowed by the State. *Provided, Further,* that all expenditures of this appropriation by each of the County Boards of Education shall be made upon the joint recommendation of the County Superin-

tendent of Education and the School Lunch Supervisor. Each County Superintendent shall, at the close of the fiscal year, submit to the State Superintendent of Education an itemized statement which shall indicate the disposition made of his county's share of this appropriation and any balance brought forward from the preceding year. Such records of the County Boards of Education shall be kept available for auditing by the accounting personnel of the State Superintendent of Education's office.

Provided, Further, That no pupil shall be refused lunch because of inability to pay, such inability to be determined by the local school superintendent and lunch room supervisor where the pupil attends.

Provided, Further, That in the distribution of State funds provided in this section for "Supervision and Overhead," and for "Maintenance and Operation," no pupil shall be counted as enrolled, or as having been enrolled, in any public school of the State who has not attended such school at least 35 days during the school year on which the allocation of such funds is based. Provided, however, that a pupil shall be counted as enrolled only in the first district, or operating unit, he legally attended.

Provided, Further, That notwithstanding the amount listed in item 4 as appropriated for "Supervision and Overhead," there is hereby appropriated, for the fiscal year 1965-66, an amount equal to the number of pupils enrolled in the public schools of the State during the fiscal year 1965-66, as determined by the State Superintendent of Education, multiplied by Five ($5.00) Dollars.

Provided, Further, That notwithstanding the amount listed in Item 4 as appropriated for "Maintenance and Operation," or any Act or parts of Acts to the contrary notwithstanding, there is hereby appropriated for the fiscal year 1965-66 an amount equal to the number of pupils enrolled in the public schools of the State during the fiscal year 1965-66, as determined by the State Superintendent of Education, multiplied by Six Dollars and Twenty-Five Cents ($6.25), and the State Superintendent of Education is hereby directed to allot and distribute this fund on that basis.

Provided, Further, That for the fiscal year 1965-66 the State shall pay on the salaries of County Superintendents of Education $5,202.00 each on warrants approved by the State Superintendent of Education. In counties where schools are operated by the County Board of Education under a county unit system such payment for county superintendents of education may be applied by the Board of Edu-

cation on the salary of the director or chief administrative officer of schools.

Provided, Further, That the authorities of the Area Trade Schools are authorized and directed to charge a tuition fee to students of not exceeding $30.00 per semester, and to use the proceeds of such tuition fees for operation and/or permanent improvements. The amount of the tuition fees to be used for permanent improvements, and the nature of such improvements, shall be approved by the State Budget and Control Board.

Provided, Further, That the amount appropriated herein under Item 4 for Education of Mentally and Physically Handicapped Children shall be used to reimburse school districts for expense incurred during the year 1965-66 in the operation of such programs in accordance with Act 882, Acts of 1958, but no district shall be reimbursed for more than 85% of such expense nor more than $150.00 per child per year in average daily attendance.

Provided, Further, That the amount appropriated herein under Item 4 for Non-Teaching Principals, Supervisors, and Special Teachers shall be allotted to school districts on the basis of one Non-Teaching Principal, Supervisor, or Special Teacher for each 30 state aid Teaching positions, and shall receive a proportionate part of a salary for any fraction thereof, for which each school district qualifies and employs. The amount allotted for each such Non-Teaching Principal, Supervisor, and/or Special Teacher shall be based on the state aid schedule in Section 21-258, Code of Laws of South Carolina, 1962, as amended in this Section, notwithstanding the provisions of Section 21-257, Code of Laws of South Carolina, 1962.

Provided, Further, That the State Budget and Control Board may approve supplements from Federal Funds to State appropriated salaries of personnel who are working with the Federal Projects and who are below existing salaries for comparable services in other state agencies and institutions.

Provided, The Superintendent of Education is hereby directed to withhold the expenditure of $125,000.00 of the 1964-65 appropriation for "State Scholarship Grants (Act 297, 1963)", which amount shall be carried forward and be available for expenditure for the same purpose in 1965-66.

Provided, That the amount appropriated in this Act for State Aid for Teachers' Salaries shall be distributed to school districts at the

rate of one hundred five (105) percent of the amounts contained in the tabulated schedule of salaries provided for in Sec. 21-258, Code of Laws of South Carolina, 1962, as amended by Sec. 3 of Part II of Act No. 829, Acts of 1964. *Provided, Further,* That in the computation of the additional five (5) percent, individual monthly amounts may be rounded to the nearest even dollar.

SECTION 21

South Carolina Opportunity School

Administration	$ 28,246.00	
Instruction	54,775.00	
Dietary	41,329.00	
Infirmary	3,028.00	
General Plant	78,749.00	
Vocational Rehabilitation Diagnostic Center	20,258.00	
For Salary and Wage Adjustments	5,602.00	
TOTAL (S. C. Opportunity School)		$ 231,987.00

SECTION 22

State Agency of Vocational Rehabilitation

Administration	$ 19,167.00	
Case Services to Clients	770,353.00	
State Office Building Rental	3,907.58	
For Salary and Wage Adjustments	6,770.00	
TOTAL (State Agency of Voc. Rehabilitation)		$ 800,197.58

Provided, That any balance in the appropriation for Vocational Rehabilitation for the year 1964-65, but not in excess of 5% thereof, may be carried forward and expended for the same purposes during the fiscal year 1965-66.

SECTION 23

State Educational Finance Commission

Item 1. Commission:
A. Personal Service:
A-3. Special Payments:
Per Annum of Commission ... $ 500.00

Item 2. General Administration:		
A. Personal Service:		
A-1. *Salaries:*		
Director	$ 11,019.00	
Finance Officer	8,663.00	
Secretary	4,823.00	
Asst. Finance Officer	5,775.00	
Field Consultant	5,839.00	
Clerk	3,621.00	
Stenographer (P. T.)	809.00	
A-2. Wages	335.00	
B. Contractual Services:		
B-2. Travel	10,000.00	
B-3. Telegraph and Telephone	2,500.00	
B-4. Repairs	500.00	
C. Supplies:		
C-4. Office Supplies	4,000.00	
C-8. Motor Vehicle Supplies	550.00	
D. Fixed Charges and Contributions:		
D-1. State Office Building Rental	14,407.25	
G. Equipment:		
G-1. Office Equipment	1,000.00	
Total Item 2 (General Administration)		$ 73,841.25
Item 3. Transportation:		
D. Fixed Charges and Contributions:		
D-4. Other Fixed Charges:		
School Bus Operating Expense	$ 5,804,042.00	
Bus Purchases	1,800,000.00	
Transportation for physically and mentally handicapped children at the rate of $70.00 per child	30,000.00	
Total Item 3 (Transportation)		$ 7,634,042.00

Item 4. School Buildings:		
A. Personal Service:		
A-1. *Salaries:*		
Supervisor, Schoolhouse Planning	$ 8,400.00	
Assistant Supervisor, Schoolhouse Planning	7,331.00	
Secretary	3,780.00	
D. Fixed Charges and Contributions:		
D-4. Other Fixed Charges:		
County Surveys	2,500.00	
School Building Aid	13,000,240.00	
Total Item 4 (School Buildings)		$13,022,251.00
Item 5. Debt Service:		
D. Fixed Charges and Contributions:		
D-4. Other Fixed Charges:		
State School Bonds:		
Principal	$ 1,170,000.00	
Interest	222,675.00	
Total Item 5 (Debt Service)		$ 1,392,675.00
For Salary and Wage Adjustments		1,757.00
GRAND TOTAL (State Educational Finance Commission)		$22,125,066.25

Provided, That, notwithstanding the amount listed in Item 4 of this Section, as appropriated for "School Building Aid," there is hereby appropriated for the fiscal year 1965-66 an amount equal to the number of pupils enrolled in the schools of the State during the fiscal year 1964-65, as determined by the State Department of Education, multiplied by Twenty ($20.00) Dollars. *Provided,* That in the allocation of State Funds provided in this Section for "School Building Aid" no pupil shall be counted as enrolled, or as having been enrolled, in any public school of the State who has not attended such school at least 35 days during the school year on which the allocation of such funds is based.

Provided, Further, That principal and interest payments due on any school bonds, the proceeds of which have not been allocated to

the counties of the State, shall be made from any such unallocated funds remaining in the State Treasury.

Provided, Further, That the State Educational Finance Commission is hereby authorized to sell used school buses that may be determined to be no longer safe or economical in transporting school children, and the proceeds of such sales may be expended for such additional equipment or the operation thereof.

Provided, Further, That for the school year 1965-66 student school bus drivers shall be paid at the rate of $35.00 per month, and adult drivers at not exceeding $60.00 per month from State Funds. *Provided, further,* that the number of adult bus drivers paid from State Funds in any county shall not be in excess of 10% of the total number of bus drivers in such county.

Provided, Further, That a certificate of merit, signed by the appropriate state and local officer, shall be awarded annually to any student driver who has a perfect driving record, with no accident for which he is responsible, according to the determination of the State Highway Department, and with no infractions of rules or regulations. The certificate of merit shall be awarded at the commencement exercises of the school which the driver attends, and with each such certificate there shall be awarded $25.00 in cash. The winners of the certificates and cash awards shall be selected by local school officials and County Boards of Education after consultation with the officials of the State Highway Department and an examination of its records pertaining to bus drivers.

Provided, Further, That the State Educational Finance Commission is directed to charge against the responsible local operating unit the cost of any gasoline and oil delivered to school tanks and not properly accounted for, after making reasonable allowance for evaporation.

Provided, Further, That out of the appropriation in this section for School Bus Operating Expense, the Commission may purchase such number of service trucks as can be used to advantage in administering the transportation program.

Provided, Further, That any balance on June 30, 1965 in the appropriation for School Bus Operating Expense may be carried forward and budgeted for the purpose of Shop Construction and Equipment during the next fiscal year.

SECTION 24

S. C. Educational Television Commission

Personal Service	$ 464,836.00
Contractual Services	1,029,650.00
Supplies	73,305.00
Fixed Charges and Contributions	42,696.00
Equipment	72,094.00
Contingencies	25,000.00
For Salary and Wage Adjustments	11,459.00
TOTAL (S. C. Educational Television Comm.)	$ 1,719,040.00

Provided, That seventy-five thousand dollars ($75,000.00) of the amount appropriated in the 1964-65 General Appropriations Act for the acquisition and/or operation of an open circuit outlet for the midland section of the State may be carried forward and expended for the same purposes in the year 1965-66.

SECTION 25

South Carolina Library Board

For Administration:	
A. Personal Service:	
A-1. *Salaries:*	
Director	$ 7,088.00
Technical Service Librarian	5,775.00
Field Service Librarian	5,775.00
Library Assistant	3,812.00
Secretary-Bookkeeper	3,427.00
Catalog Assistant	3,427.00
Accession Assistant	3,258.00
A-2. Wages:	
Janitor	296.00
A-3. Special Payments:	
Travel and Per Diem of Board Members	200.00
B. Contractual Services:	
B-1. Freight, Express and Deliveries	50.00
B-2. Travel	2,500.00

B-3. Telegraph and Telephone	400.00	
B-4. Repairs	150.00	
B-5. Printing and Advertising	300.00	
C. Supplies:		
C-4. Office Supplies	1,200.00	
C-8. Motor Vehicle Supplies	200.00	
D. Fixed Charges and Contributions:		
D-1. State Office Building Rental	1,331.51	
D-2. Insurance	300.00	
D-3. Contributions (State Aid)	67,500.00	
Service to the Blind	8,610.00	
G. Equipment:		
G-1. Office Equipment	400.00	
G-4. Motor Vehicles and Equipment	200.00	
G-7. Educational Equipment (Books for State Aid)	5,000.00	
For Salary and Wage Adjustments	986.00	
TOTAL (South Carolina Library Board)		$ 122,185.51

SECTION 26

South Carolina Schoolbook Commission

For Administration:		
A. Personal Service:		
A-1. *Salaries:*		
Director and Executive Secretary	$ 8,986.00	
Assistant Director	7,060.00	
Secretary	4,376.00	
Bookkeepers	11,814.00	
Stenographer-Bookkeeper	3,966.00	
Auditors	27,594.00	
A-3. Special Payments:		
Per Diem of Board	500.00	
Clerical Help	2,420.00	
B. Contractual Services:		
B-1. Freight, Express and Deliveries	1,800.00	

B-2. Travel	6,600.00	
B-3. Telegraph and Telephone	700.00	
B-4. Repairs	250.00	
B-5. Printing and Advertising	75.00	
C. Supplies:		
C-4. Office Supplies	5,600.00	
D. Fixed Charges and Contributions:		
D-1. State Office Building Rental	8,362.25	
D-2. Insurance	155.00	
D-3. Contributions	20.00	
G. Equipment:		
G-1. Office Equipment	700.00	
For Salary and Wage Adjustments	1,914.00	
TOTAL (South Carolina Schoolbook Commission)		$ 92,892.25

Provided, That the Director of the Schoolbook Commission may expend from textbook rentals whatever amount is necessary in connection with the repair, testing and redistribution of used textbooks.

SECTION 27

Advisory Committee for Technical Training

Administration	$ 37,712.50	
Technical Education Centers	1,292,380.00	
Technical Services	44,750.00	
Special Schools	406,891.00	
State Office Building Rental	10,777.19	
For Salary and Wage Adjustments	33,845.00	
Total (Advisory Committee for Technical Training)		$ 1,826,355.69

Provided, The Advisory Committee for Technical Training is hereby directed to withhold the expenditure of $325,000.00 of funds appropriated for its 1964-65 operations, which amount shall be carried forward and made available for the same purposes in the year 1965-66.

SECTION 28

Archives Department

Item 1. For Administration:	
A. Personal Service:	
A-1. *Salaries:*	
Director	$ 10,657.00
Assistant Director	7,717.00
Secretary and Bookkeeper	5,250.00
Asst. Secretary and Bookkeeper	3,500.00
Librarian	4,095.00
Museum Curator	3,675.00
Editorial Assistants (2)	9,142.00
Archivist	6,300.00
Supervisor of Document Repairs	5,000.00
Superintendent of Building and Grounds	4,725.00
Photographer	3,885.00
Historical Marker and Research Specialist	5,250.00
A-2. Wages:	
Janitor	3,300.00
A-3. Special Payments:	
Clerical Help	9,000.00
Travel and Per Diem	650.00
B. Contractual Services:	
B-1. Freight, Express and Deliveries	200.00
B-2. Travel	1,000.00
B-3. Telegraph and Telephone	1,000.00
B-4. Repairs	8,950.00
Document Repairs	7,700.00
B-5. Printing and Editing Historical Documents	6,000.00
B-6. Water, Heat, Light and Power	8,000.00
C. Supplies:	
C-4. Office Supplies	2,000.00
C-5. Household, Laundry and Janitorial Supplies	700.00
C-8. Motor Vehicle Supplies	200.00
C-9. Agricultural Supplies	100.00

D. Fixed Charges and Contributions:		
D-2. Insurance	500.00	
G. Equipment:		
G-1. Office Equipment	1,000.00	
G-7. Educational Equipment	2,000.00	
Total Item 1 (Administration)		$ 121,496.00
Item 2. Calhoun Papers Project:		
For Administration:		
A. Personal Service:		
A-1. *Salaries:*		
Regular Staff .....$	15,748.00	
B. Contractual Services:		
B-2. Travel	500.00	
B-4. Repairs	50.00	
C. Supplies:		
C-4. Office Supplies	150.00	
G. Equipment:		
G-7. Educational Equipment ...	150.00	
Total Item 2 (Calhoun Papers Project)		$ 16,598.00
For Salary and Wage Adjustments		2,967.00
GRAND TOTAL (Archives Department)		$ 141,061.00

Provided, That the Commission is authorized to supply one free copy of each new publication to the libraries of the University of South Carolina, The Citadel, Clemson, Winthrop, and S. C. State College; to each member of the Commission and its Directors; to the State Library; to each public library which is approved for a cash allotment by the South Carolina State Library Board; and to each former member of the Commission living in South Carolina.

Provided, Further, That the proceeds of sales of publications by the Archives Department shall be deposited in a special account in the State Treasury, and may be used by this department to cover the cost of additional printing.

SECTION 29

State Library

For Administration:		
A. Personal Service:		
A-1. *Salaries:*		
Librarian	$	5,911.00
Assistant Librarian (Part Time)		2,400.00
A-2. Wages:		
Porter Service		2,310.00
Laborers		500.00
A-3. Special Payments:		
Clerical Help		750.00
B. Contractual Services:		
B-1. Freight, Express and Deliveries		500.00
B-2. Travel		400.00
B-3. Telegraph and Telephone		200.00
B-4. Repairs		700.00
B-5. Printing, Advertising and Binding		250.00
C. Supplies:		
C-4. Office Supplies		500.00
D. Fixed Charges and Contributions:		
D-2. Insurance		10.00
D-3. Contributions (Association Dues)		33.50
G. Equipment:		
G-1. Office Equipment		200.00
G-7. Educational Equipment		500.00
G-8. Other Equipment		50.00
For Salary and Wage Adjustments		262.00
TOTAL (State Library)		$ 15,476.50

Provided, that in addition to the distribution of the Acts and Joint Resolutions as provided for in Section 1-564, Code of Laws of South Carolina, 1962, each county Solicitor shall receive one copy.

SECTION 30

Confederate Relic Room

For Administration:		
A. Personal Service:		
A-1. *Salaries:*		
Custodian	$ 3,607.00	
A-3. Special Payments:		
Clerical Help	140.00	
B. Contractual Services:		
B-3. Telegraph and Telephone	185.00	
B-4. Repairs	60.00	
C. Supplies	40.00	
G. Equipment:		
G-1. Office Equipment	40.00	
TOTAL (Confederate Relic Room)		$ 4,072.00

SECTION 31

State Department of Public Welfare

Item 1. Administration		$1,700,000.00
State Office Building Rental		$ 40,626.50
Item 2. Cash Assistance:		
(a) Old Age	2,700,000.00	
(b) Blind	300,000.00	
(c) Dependent Children	900,000.00	
(d) Aid to Permanently and Totally Disabled	1,100,000.00	
(e) Foster Home Care	550,000.00	
Total (Item 2) Cash Assistance		$ 5,550,000.00
Item 3. General Relief		$ 450,000.00
Item 4. Miscellaneous:		
(a) Eye Examination and Treatment of and Training Blind		$ 225,000.00
Item 5. Care of Persons Transferred from Confederate Home		$ 6,000.00
TOTAL (State Department of Public Welfare)		$7,971,626.50

Provided, That any balances of appropriations for this Department, which are unexpended on June 30, 1965, may be carried forward and expended during the fiscal year 1965-66 for such purposes as may be deemed by the Board to be in the best interest of the work of the Department. *Provided, However,* That the amount carried forward shall not exceed five per cent (5%) of the amount appropriated for the fiscal year 1964-65 in any category.

Provided, Further, That the basis of monthly benefit payments during the year 1964-65 in the old age category shall be maintained during the year 1965-66.

Provided, Further, That the sums herein appropriated shall be so distributed that every applicant who is found eligible shall receive some benefit.

Provided, Further, That salary increases in this department shall be made from departmental funds in accordance with the terms of Section 92, of Part I, of this Act.

SECTION 32

State Department of Mental Health

Item I.	Office of the State Director of Mental Health	$ 16,874.00	
Item II.	Administrative Services	323,126.00	
Item III.	Community Mental Health Services	452,057.06	
Item IV.	Division of Research and Training	17,862.00	
Item V.	Psychiatric Hospital Services	9,838,238.00	
Item VI.	Mental Retardation Services	725,358.00	
	For Salary and Wage Adjustments	206,745.00	
TOTAL	(State Department of Mental Health)		11,580,260.06

SECTION 33

Whitten Village

Personal Service	$ 2,235,487.00	
Other Operation Expense	1,194,374.50	
For Salary and Wage Adjustments	58,805.00	
TOTAL (Whitten Village)		$ 3,488,666.50

Provided, That the Board is authorized to continue the employment of the present Superintendent, notwithstanding the requirements of law concerning the retirement of State employees.

SECTION 34

Retarded Children's Habilitation Center

Personal Service	$ 85,866.64	
Contractual Services	10,333.20	
Supplies	1,966.40	
Insurance, Fixed Charges and Contributions	350.00	
Equipment	1,800.00	
Contingencies	2,733.36	
Vocational Rehabilitation Program (State Participation)	1,960.00	
For Salary and Wage Adjustments	2,075.25	
TOTAL (Retarded Children's Habilitation Center)		$ 107,084.85

SECTION 35

South Carolina Sanatorium

Administration	$ 66,398.00
Care of Patients	561,526.00
Education—Child Patients	3,928.00
Dietary	201,500.00
Plant Maintenance	154,194.00
Boiler Replacement	113,000.00
Laundry	20,348.00
Dairy and Farm	52,933.00

County Sanatoria	65,000.00
For Salary and Wage Adjustments	24,000.00
TOTAL (South Carolina Sanatorium)	$ 1,262,827.00

Provided, That the State of South Carolina shall pay to the County Tubercular Sanatoriums in Charleston, Richland, Greenville and Spartanburg Counties, $1.50 per day for each tubercular patient hospitalized and receiving treatment in such sanatorium and $1.50 per day shall be deducted from the amount payable to county Sanatoria for each patient admitted to the South Carolina Sanatorium from such county: *Provided, However,* That all payments made by the State under the provisions hereof shall be approved by the South Carolina Sanatorium. And, in order to provide a means whereby the South Carolina Sanatorium may act intelligently in approving such payments, the diagnosis and condition of patients paid for by the State, and the standard of such sanatoria shall be subject to such checks and inspection at such intervals as the South Carolina Sanatorium may prescribe.

Provided, Further, That applicants for admission to this institution shall be referred to the State Department of Public Welfare for investigation as to their ability to pay for treatment at the institution and such applicants who are found able to pay shall be charged an appropriate fee for such services.

Provided, the South Carolina Sanatorium is authorized to expend $25,000.00 of the amounts appropriated in this Act for the construction of a detention ward in its existing hospital facilities.

Provided, that any balances remaining in appropriations to the South Carolina Sanatorium for the year 1964-65 may be carried forward and expended in the year 1965-66 for construction of a detention ward in the present hospital building.

SECTION 36

S. C. Alcoholic Center

Operation and Maintenance of Treatment and Rehabilitation Center	$ 140,937.00
State Office Building Rental...	2,720.25
Administration and Adult Education	62,094.00

For Salary and Wage Adjustments	4,285.00
TOTAL (S. C. Alcoholic Center)	$ 210,036.25

Provided, That all revenues received from patient care may be retained and used for operation of the institution.

SECTION 37

Children's Bureau

For Administration:	
A. Personal Service:	
A-1. *Salaries:*	
Executive Director	$ 7,508.00
Case Work Supervisors (2)	7,035.00
Field Workers	44,251.00
Secretary	4,043.00
Office Manager—Bookkeeper	5,075.00
Stenographer	3,541.00
Stenographer and File Clerk	3,294.00
Stenographer	3,500.00
A-3. Special Payments:	
Per Diem and Travel—Board of Directors	1,500.00
Professional Fees	5,500.00
Maternity and Hospital Care	10,000.00
In Service Training—Educational Leave	3,000.00
For Salary and Wage Adjustments	2,107.00
B. Contractual Services:	
B-2. Travel:	
For Employees	15,000.00
For Children (Care and Subsistence)	30,000.00
B-3. Telegraph and Telephone	1,200.00
B-4. Repairs	400.00
B-5. Printing and Advertising	300.00
C. Supplies:	
C-4. Office Supplies	1,300.00
C-6. Medical Supplies	500.00

C-7. Educational Supplies	100.00	
C-10. Clothing and Dry Goods ..	1,000.00	
D. Fixed Charges and Contributions:		
D-1. State Office Building Rental.	4,962.96	
D-3. Contributions	765.00	
G. Equipment:		
G-1. Office Equipment	1,000.00	
TOTAL (Children's Bureau)		$ 156,881.96

SECTION 38

South Carolina Probation, Parole and Pardon Board

For Administration:		
A. Personal Service:		
A-1. *Salaries:*		
Director	$ 10,799.00	
Supervisor of Paroles	9,529.00	
Assistant Director	7,623.00	
Field Supervisor	6,707.00	
Fugitive Officers	6,707.00	
Secretary	4,193.00	
Stenographer	3,605.00	
Steno-File Clerk No. 1	3,605.00	
Steno-File Clerk No. 2	3,222.00	
Stenographers For Probation Officers	89,265.00	
Probation and Parole Officers .	312,421.00	
A-3. Special Payments:		
Per Diem of Board	2,000.00	
B. Contractual Services:		
B-2. Travel	60,500.00	
B-3. Telegraph and Telephone ..	2,000.00	
B-4. Repairs	500.00	
C. Supplies:		
C-4. Office Supplies	5,000.00	
D. Fixed Charges and Contributions:		
D-1. State Office Building Rental	5,673.00	
D-3. Contributions (Association Dues)	100.00	

G. Equipment:		
G-1. Office Equipment	1,000.00	
For Salary and Wage Adjustments	13,052.00	
TOTAL (South Carolina Probation, Parole and Pardon Board)		$ 547,501.00

SECTION 39

Department of Corrections

Administration	$ 130,600.00	
Operation of Penal Institutions	1,729,106.25	
For Salary and Wage Adjustments	29,089.00	
TOTAL (Department of Corrections)		$ 1,888,795.25

Provided, That the salaries of the Superintendent and of the Captain of the Guard shall be fixed by the Board of Directors of the Department of Corrections.

Provided, Further, That from and after the passage of this Act no charge shall be made against the counties of the State for the maintenance of prisoners admitted to the Department of Corrections for safekeeping for the first 90 days of such safekeeping, when a proper showing is made by the county authorities that there is sufficient necessity for the admission of such prisoners, but a charge of One Dollar and Thirty-five ($1.35) Cents for each day in excess of ninety (90) days shall be made to the county from which such prisoner is committed, and such charge shall be paid monthly.

Provided, Further, That when any prisoner is sentenced and is committed to the Department of Corrections no charge shall be made against a county.

Provided, Further, That, after consultation with the State Forester, mature trees and trees suitable for pulp wood or fence posts may be sold in a program of forest improvement. The funds derived from any such sale shall be deposited with the State Treasurer to be placed in the General Fund.

Provided, Further, That revenue derived wholly from the sale of farm products may be retained by the Department of Corrections and used in its operation.

Provided, Further, Whenever a convict shall be discharged from the Department of Corrections the Board of Directors thereof shall furnish such convict with a suit of common clothes, if deemed necessary, and transportation from the Department of Corrections to his home, if his home be within this State, or to the County from which he was sentenced if his home be without this State.

Provided, The Department of Corrections is directed to charge the Mental Health Commission for all milk produced by the Department and furnished the Commission, the amount charged to be the same as the wholesale rate prevailing in the Columbia area. An accounting of the cost of milk produced and so furnished shall be kept and any net revenue from payments received remaining at the end of the fiscal year shall be deposited in the State Treasury to the credit of the General Fund. *Provided, Further,* that sales of milk by the Department to the Mental Health Commission or any other agency of the State government shall be exempt from the retail sales tax.

Provided, Further, The Department of Corrections is authorized to expend the sum of $2,000.00 received from the sale of a gas pipe line easement for building repairs at Walden Correctional Institution.

SECTION 40

State Industrial School's Board

Item 1. For Administration:		
A. Personal Service:		
A-3. Special Payments:		
Per Diem and Expense of Board Members		$ 4,000.00
Item 2. Juvenile Placement Bureau:		
A. Personal Service:		
A-1. *Salaries:*		
Director	$ 7,811.00	
Assistant Director	6,006.00	
Secretary	3,771.00	
Workers	20,176.00	
B. Contractual Services:		
B-2. Travel	14,800.00	
B-3. Telegraph and Telephone	350.00	
C. Supplies:		
C-4. Office Supplies	550.00	

D. Fixed Charges and Contributions:		
State Office Building Rental ..	1,079.70	
D-2. Insurance	40.00	
D-3. Contributions — Association Dues	35.00	
G. Equipment:		
G-1. Office Equipment	100.00	
For Salary and Wage Adjustments	1,133.00	
Total (Item 2) Juvenile Placement Bureau		$ 55,851.70
TOTAL (State Industrial Schools' Board)		$ 59,851.70

SECTION 41

South Carolina School for Boys

Personal Service .....$	224,131.00	
Contractual Services	23,525.00	
Supplies	88,900.00	
Fixed Charges	5,570.00	
Equipment	17,100.00	
For Salary and Wage Adjustments	7,208.00	
TOTAL (S. C. School for Boys) ...		$ 366,434.00

Provided, That revenue derived from the sale of farm products grown at this institution shall be remitted to the State Treasurer for credit to this appropriation and used for the operation of the said institution.

SECTION 42

South Carolina School for Girls

Personal Service .....$	90,773.00	
Contractual Services	14,669.00	
Supplies	43,313.00	
Fixed Charges	2,686.00	
Equipment	4,509.00	
For Salary and Wage Adjustments	2,882.00	
TOTAL (S. C. School for Girls)		$ 158,832.00

Provided, that revenue derived from the sale of farm products grown at this institution shall be remitted to the State Treasurer for credit to this appropriation and used for the operation of the said institution.

SECTION 43

John G. Richards School for Boys

Personal Service	$	192,082.00
Contractual Services		18,970.00
Supplies		62,702.00
Fixed Charges		5,042.00
Equipment		13,679.00
Vocational Training		27,335.00
For Salary and Wage Adjustments		5,105.00
TOTAL (John G. Richards School for Boys)	$	324,915.00

Provided, that revenue derived from the sale of farm products grown at this institution shall be remitted to the State Treasurer for credit to this appropriation and used for the operation of the said institution.

SECTION 44

Riverside School for Girls

Personal Service	$	73,720.00
Contractual Services		6,700.00
Supplies		32,450.00
Fixed Charges		688.00
Equipment		2,200.00
For Salary and Wage Adjustments		1,916.00
TOTAL (Riverside School for Girls)	$	117,674.00

Provided, That revenue derived from the sale of farm products grown at this institution shall be remitted to the State Treasurer for credit to this appropriation and used for the operation of the said institution.

SECTION 45

State Budget and Control Board

Section 1. Finance Division:

A. Personal Service:	
A-1. *Salaries:*	
General Administration:	
State Auditor	$ 16,380.00
Special Assistant	12,600.00
Secretary	5,834.00
Budget Officer	11,300.00
Assistant to Budget Officer	5,350.00
Division of Post Audits:	
Auditor of Public Accounts	12,600.00
Auditors	42,295.00
Division of Engineering:	
Chief Engineer	10,700.00
Engineer—Structural	8,925.00
Engineer—Mechanical	8,264.00
Steno-Clerk	4,863.00
A-2. Wages:	
Porter Service	2,455.00
A-3. Special Payments:	
Clerical Help	5,780.00
Departmental Surveys	60,000.00
Organizational Unit	22,900.00
B. Contractual Services:	
B-2. Travel	7,500.00
B-3. Telegraph and Telephone	1,600.00
B-4. Repairs	750.00
C. Supplies:	
C-4. Office Supplies	2,300.00
D. Fixed Charges and Contributions:	
D-1. Rents	1,500.00
State Office Building Rental	5,487.36
D-2. Insurance	500.00
D-3. Contributions (Association Dues)	50.00
E. Civil Contingent Fund	150,000.00

G. Equipment:		
G-1. Office Equipment	500.00	
For Salary and Wage Adjustments	3,897.00	
Office of Coordinator of Administration of Higher Education Facilities Act	5,000.00	
Office of Economic Opportunities:		
State Office Building Rental	2,669.60	
TOTAL Section 1 (Finance Division)		$ 411,999.96
Section 2. Division of General Services:		
A. Personal Service:		
A-1. *Salaries:*		
General Administration:		
Division Director	$ 15,000.00	
Secretaries	9,200.00	
Clerks	13,603.00	
Departmental Services:		
Assistant Director	11,550.00	
Unit Supervisors	12,900.00	
Machine Operators—Data Processing	26,400.00	
Clerks—Records Management	19,020.00	
Clerks—Supply	6,820.00	
Telephone Operators	20,880.00	
State Insurance:		
Chief of Insurance	10,000.00	
Clerks	8,065.00	
Field Agents	13,830.00	
State Buildings and Grounds:		
Maintenance Men	3,800.00	
Watchmen	14,770.00	
Custodian Fort Moultrie	1,200.00	
State Electricians	4,400.00	
State Purchasing:		
State Purchasing Officer	10,506.00	
Purchasing Assistants	42,400.00	
Stenographers and Clerks	19,700.00	

State Printing:	
State Printing Officer	10,500.00
Secretary	4,706.00
Surplus Property Procurement:	
State Surplus Property Officer	9,630.00
Field Agents	20,440.00
Stenographers	18,668.00
Clerks	8,700.00
Warehousemen	15,029.00
A-2. Wages:	
State Buildings and Grounds	20,000.14
Surplus Property Procurement	37,400.00
A-3. Special Payments:	
Temporary Help	5,000.00
For Salary and Wage Adjustments	10,657.00
General Operating:	
B. Contractual Services:	
B-1. Freight, Express and Deliveries	38,000.00
B-2. Travel	17,950.00
B-3. Telegraph and Telephone	7,400.00
B-4. Repairs:	
Equipment	1,200.00
State House	20,000.00
General	14,000.00
B-5. Printing and Advertising:	
Regular	625.00
Printing State Documents	200,000.00
University Library—Exchange	1,000.00
B-6. Water, Heat, Light and Power	132,500.00
B-7. Other Contractual Services:	
Moving State Agencies	25,000.00
Telephone Termination Charges	2,600.00
C. Supplies:	
C-2. Fuel and Refrigeration Supplies	7,000.00
C-4. Office Supplies	12,300.00
C-8. Motor Vehicle Supplies	4,600.00

C-10. Clothing and Dry Goods .	700.00	
C-12. Other Supplies	3,000.00	
D. Fixed Charges and Contributions:		
D-1. Rents	39,596.00	
State Office Building Rental...	72,347.73	
Temporary Departmental Office Rent	33,858.92	
D-2. Insurance	3,560.00	
D-3. Contributions and Dues ...	150.00	
G. Equipment:		
G-1. Office Equipment	1,500.00	
G-4. Motor Vehicles and Equipment	800.00	
G-8. Maintenance—Buildings and Grounds	7,000.00	
Total (Section 2) Division of General Services		$ 1,071,461.79
Section 3. Retirement:		
A. Personal Service:		
A-1. *Salaries:*		
Director	$ 14,168.00	
Assistant Director	9,318.00	
Secretary	5,192.00	
Chief Accountant	6,935.00	
General Bookkeeper—Supervisor	5,413.00	
Junior Accountant	5,099.00	
Senior Bookkeeper	5,104.00	
Steno-Clerks	41,875.00	
Posting Machine Operators (4)	15,120.00	
Register Clerk	3,815.00	
Typist-Clerks	14,483.00	
Bookkeeper	3,815.00	
Senior Clerk	3,662.00	
Disbursement Clerk	3,662.00	
Junior Clerks	10,967.00	
Retirement Clerk	3,662.00	

A-2. Wages:		
Messenger-Janitor	1,923.00	
A-3. Special Payments and Clerical Help:		
Actuary	12,400.00	
Medical Board	3,267.64	
Clerical Help	1,344.00	
B. Contractual Services:		
B-2. Travel	4,000.00	
B-3. Telegraph and Telephone	1,650.00	
B-4. Repairs	3,000.00	
B-7. Other	75.00	
C. Supplies:		
C-4. Office Supplies	10,500.00	
Postage	7,375.00	
D. Fixed Charges and Contributions:		
D-1. Rents	3,925.80	
State Office Building Rental	25,235.86	
D-2. Insurance	300.00	
D-3. Contributions	95.00	
G. Equipment:		
G-1. Office Equipment	8,000.00	
For Salary and Wage Adjustments	4,483.00	
Total (Administration)		$ 239,864.30
State Employer Contribution:		
State Retirement System	$23,380,000.00	
State Police Officers Retirement System	250,000.00	
Retired Persons under old P. I. & A. Fund	340,000.00	
Total (State Employer Contribution)		$23,970,000.00
Total (Section 3) Retirement		$24,209,864.30
TOTAL (State Budget and Control Board)		$25,693,326.05

Provided, That warrant requisitions for the disbursement of funds appropriated in this Section shall be approved by the respective division heads. *Provided, Further,* That the Civil Contingent Fund, appropriated in Item 1 of this Section, shall be expended only upon unanimous approval of the State Budget and Control Board, and upon warrant requisitions signed as directed by the State Budget and Control Board, to meet emergency and contingent expense of the State Government. *Provided, Further,* That none of the Civil Contingent Fund shall be used to increase the salary of any State employee when such salary is specifically fixed in this Act.

Provided, Further, That the State Budget and Control Board shall file with the South Carolina General Assembly detailed report of all expenditures from the Civil Contingent Fund.

Provided, That notwithstanding the amount appropriated in Section 5 of this Section as "State Employer Contribution," the State Treasurer and Comptroller General are hereby authorized and directed to transfer from the General Fund of the State to the proper Retirement System Accounts, month by month, during the fiscal year 1965-66, such funds as are necessary to comply with the terms of the Retirement Act as amended, as to contributions by the State of South Carolina to the Retirement System.

Provided, Further, That each department, commission, agency, and/or instrumentality of the State of South Carolina, whose employees are covered by the South Carolina Retirement Act, and any part of whose administrative funds are derived from sources other than direct appropriations by the General Assembly, shall pay from such administrative funds a proportionate share of the State's contributions to the Retirement System Account.

Provided, Further, That the State Highway Department shall pay from Highway revenues that portion of the State's contribution to the Retirement System which is occasioned by the coverage of State Highway employees.

Provided, Further, That if any County or Municipality shall become 90 days delinquent in any payments due the Retirement System, the Retirement System shall certify such amount to the State Treasurer, and the State Treasurer is hereby directed to withhold from the next distribution of any revenue due such County or municipality, the amount so certified to him, and apply same to the Retirement System account of such County or municipality to cover such delinquency.

Provided, Further, That the State Budget and Control Board is authorized and empowered to employ special agents to examine insurance risks carried by the said Board, and to perform any other duties which may be required of them, and the cost of necessary supplies, equipment, and travel expenses of the special agents, shall be paid from the revenues of the Insurance Sinking Fund.

Provided, Further, That the employment of Dr. W. K. Fishburne, County Health Officer of the Berkeley County Health Unit, Dr. L. C. Stukes, Health Officer of the Clarendon County Health Unit, Dr. J. E. Brodie, Health Officer of the Lexington County Health Unit, C. A. Johnson, field consultant, Educational Finance Commission, the Assistant State Treasurer, the present State Auditor, Dr. George Benet, Chief Surgeon of the S. C. State Hospital, Nell H. Metzger, by the Darlington County Public Library; and M. R. Wolling by the Wildlife Resources Department, may continue notwithstanding the age requirement of the State Retirement System.

Provided, The Budget and Control Board, through its Division of General Services, is authorized to provide such services for the benefit of the several departments and agencies of the State Government as will, in its opinion, promote efficient and economical operations, including among such services the operation of a motor pool and a centralized telephone system, and to charge departments and agencies for such services, the revenue from which shall be deposited in the State Treasury in a special account and expended only for the cost of providing such services.

Provided, The resale of office supplies or other commodities and services by the General Services Division to departments and agencies of the State Government shall not be subject to retail sales tax if such tax shall have been paid on the original purchase thereof by the Division.

Provided, The Budget and Control Board may authorize the demolition of existing buildings now located at 1408 Senate Street, 1410 Senate Street, 1416 Senate Street and 1011 Bull Street, all in the City of Columbia, such areas to be utilized for automobile parking for employees of the State Government.

Provided, That the General Fund shall be reimbursed by the following sources and amounts to partially cover appropriations in this section for the Division of General Services.

1. Insurance Sinking Fund	$ 84,421.00
2. Ordinary Sinking Fund	3,650.00
3. Surplus Property Revolving Fund	177,097.00

Provided, Further, That no department, institution or agency of the State Government shall rent, purchase or lease any data processing equipment or rent or lease office space or other real property within the Columbia area without approval of the State Budget and Control Board.

Provided, Further, That this shall not be applicable to the State Highway Department.

SECTION 46

Board of Health

Central Administration	933,535.00
Hospital Care—Cancer	425,000.00
Hospital Care—Crippled Children	60,000.00
Hospital Care—Speech Therapy	8,000.00
Convalescent Home	85,000.00
Orthopedic Camps	25,000.00
Drugs and Biologics	51,000.00
V. D. Control	2,400.00
Insect Control Program	105,000.00
Health Mobilization	20,000.00
For Patrolling Coastal Shell Fish Areas	30,000.00
Aid to County Health Units ..	1,347,152.00
State Office Building Rental..	144,123.67
Salary and Wage Adjustments	63,073.05
GRAND TOTAL (State Board of Health)	$ 3,299,283.72

Provided, Further, That State funds herein provided for aid to county health departments shall be distributed on a basis approved by the Executive Committee of the State Board of Health so that no county shall receive less State funds than for the fiscal year 1964-65.

Provided, further, that Federal funds made available to the State Board of Health, that can be allotted to the counties of the State for operation of county health units, shall be distributed among the counties of the State on a basis approved by the Executive Committee of the State Board of Health so that no county shall receive more Federal funds until each county has received an amount equal to those amounts made available for the fiscal year 1964-65.

Provided, Further, That both State and Federal Funds allotted to any County Health Department shall be withheld from such county until a sum equal to twenty (20¢) cents per capita for the county's population, according to the 1950 Federal Census, shall have been provided by such county for use by its County Health Department in carrying on proper health programs to be agreed upon by the County Legislative Delegation and the State Board of Health, *Provided, However,* That if it is found that in any county a suitable health unit can be operated at less cost than is provided herein by the prescribed distribution of State and Federal Funds and the amount of twenty (20¢) cents per capita from local funds, County and State funds for the support of such unit shall be reduced in the same ratio.

Provided, Further, That the allocation of all Federal funds made available to the State Board of Health, including the allocation of such funds among the counties of the State for County and District Health Work, shall be approved by the State Budget and Control Board.

Provided, Further, That any unused State and/or Federal Funds, allocated and budgeted to a county, shall, subject to the approval of the Senator and a majority of the House Members of such county, be made available to the State Board of Health for redistribution on the basis of need as determined by the State Board of Health.

Provided, Further, That from funds available for the operation of Cancer Clinics, a clinic shall be maintained and operated at Self Memorial Hospital at Greenwood.

Provided, Further, That out of the appropriation provided in this section for State Aid to County Health Units, the sum of $25,000.00 shall be distributed to the county health departments by the State Health Officer, with the approval of the Executive Committee of the State Board of Health, for the following purposes:

1. To insure the provision of a reasonably adequate public health program in each county.
2. To provide funds to combat special health problems that may exist in certain counties.
3. To establish and maintain demonstration projects in improved public health methods in one or more counties in the promotion of better public health service throughout the State.
4. To encourage and promote local participation in financial support of the county health departments.
5. To meet emergency situations which may arise in local areas.

6. To fit funds available to amounts budgeted when small differences occur.

Provided, Further, That the State Budget and Control Board may approve supplements from Federal Funds to State appropriated salaries of personnel who are below existing salaries for comparable services in other state agencies and institutions.

SECTION 47

Water Pollution Control Authority

For Administration:	
A. Personal Service:	
A-1. *Salaries:*	
Executive Director (P.T.)	$ 4,778.00
Assistant Director	9,501.00
Water Pollution Control Engineers	12,082.00
Chemists	5,690.00
Secretary	4,339.00
Laboratory Technician	4,202.00
Radiological Laboratory Technician	5,250.00
Water Sample Takers	11,260.00
Radiological—Industrial Engineer	8,987.00
A-3. Special Payments:	
Travel and Per Diem of Board Members	1,750.00
Special Fees	500.00
B. Contractual Services:	
B-2. Travel	8,000.00
B-3. Telegraph and Telephone	500.00
B-4. Repairs	600.00
B-6. Water, Heat, Light and Power	500.00
B-7. Hearings	250.00
C. Supplies:	
C-4. Office Supplies	500.00
C-8. Motor Vehicle Supplies	1,500.00
C-11. Laboratory Supplies	1,000.00

D. Fixed Charges and Contributions:		
D-1. Rents	100.00	
D-2. Insurance	480.00	
D-3. Cooperative Agreement—U. S. Geological Survey	5,000.00	
G. Equipment:		
G-1. Office Equipment	500.00	
G-8. Laboratory Equipment	1,000.00	
For Salary and Wage Adjustments	1,980.00	
Total (Water Pollution Control Authority)		$ 90,249.00

SECTION 48

State Dairy Commission

For Administration:		
A. Personal Service:		
A-1. *Salaries:*		
Director	$ 8,400.00	
Auditors	36,183.00	
Inspector	6,365.00	
Secretaries	8,138.00	
A-3. Special Payments:		
Per Diem for Commissioners (8)	3,500.00	
B. Contractual Services:		
B-2. Travel	11,000.00	
B-3. Telegraph and Telephone	1,500.00	
B-4. Repairs	350.00	
C. Supplies:		
C-4. Office Supplies	2,000.00	
D. Fixed Charges and Contributions:		
D-1. State Office Building Rental	3,014.70	
D-2. Insurance	17.50	
For Salary and Wage Adjustments	1,773.00	
TOTAL (State Dairy Commission)		$ 82,241.20

SECTION 49

State Tax Commission

Item 1. Administrative Division:		
A. Personal Service:		
A-1. *Salaries:*		
Chairman	$ 14,250.00	
Commissioners	50,912.00	
Executive Secretary	11,025.00	
Administrative Assistants	27,195.00	
Clerks	43,444.00	
Service Clerks	96,875.86	
Secretaries	56,529.00	
Telephone Operators	10,671.00	
Warrant Officers	87,765.00	
Temporary Help	10,000.00	
A-2 Wages:		
Janitor	780.00	
Total (Item 1) Administrative Division		$ 409,446.86
Item 2. Estate Tax Division:		
A. Personal Service:		
A-1. *Salaries:*		
Director	$ 10,920.00	
Steno-Clerks	7,560.00	
Auditors	23,616.00	
Total (Item 2) Estate Tax Division		$ 42,096.00
Item 3. Property Tax Division:		
A. Personal Service:		
A-1. *Salaries:*		
Director	$ 10,920.00	
Assistant Director	10,290.00	
Clerks	32,025.00	
Field Agents	55,650.00	
Assessment Supervisors	39,665.00	
Total (Item 3) Property Tax Division		$ 148,550.00

Item 4. Income Tax Division:		
A. Personal Service:		
A-1. *Salaries:*		
Director	$ 10,920.00	
Secretaries	27,300.00	
Clerks	252,602.00	
Auditors	455,185.00	
Total (Item 4) Income Tax Division		$ 746,007.00
Item 5. License Tax Division:		
A. Personal Service:		
A-1. *Salaries:*		
Director	$ 10,920.00	
Secretaries	19,623.00	
Clerks	52,623.00	
Auditors	96,256.00	
Field Agents	91,171.00	
Total (Item 5) License Tax Division		$ 270,593.00
Item 6. Beer and Wine and Alcoholic Liquors Division:		
A. Personal Service:		
A-1. *Salaries:*		
Director	$ 10,920.00	
Secretaries	12,705.00	
Clerks	32,803.00	
Examiners	17,850.00	
Investigators	72,976.00	
Total (Item 6) Beer and Wine and Alcoholic Liquors Division		$ 147,254.00
Item 7. Sales Tax Division:		
A. Personal Service:		
A-1. *Salaries:*		
Director	$ 10,920.00	
Secretaries	56,380.00	
Clerks	178,801.00	
Auditors	636,926.00	
Total (Item 7) Sales Tax Division		$ 883,027.00

Item 8. Data Processing Division:		
A. Personal Service:		
A-1. *Salaries:*		
Director	$ 10,920.00	
Systems Analysis Unit	30,955.00	
Accounting Unit	61,908.00	
Machine Operators	153,696.00	
Temporary Help	2,500.00	
Total (Item 8) Data Processing Division		$ 259,979.00
For Salary and Wage Adjustments		$ 83,721.00
Item 9. General Operating:		
B. Contractual Services:		
B-1. Freight, Express and Deliveries	$ 7,000.00	
B-2. Travel	450,000.00	
B-3. Telegraph and Telephone	22,500.00	
B-4. Repairs	20,000.00	
B-5. Printing, Binding and Advertising	16,000.00	
B-6. Water, Heat, Light and Power	1,500.00	
C. Supplies:		
C-4. Office Supplies and Stamps	315,000.00	
C-8. Motor Vehicle Supplies	3,000.00	
D. Fixed Charges and Contributions:		
D-1. Rents:		
Machine Rental	155,000.00	
District Office	22,510.56	
Post Office Box	48.00	
State Office Building Rental	110,583.10	
D-2. Insurance—Premium on Bonds	7,200.00	
D-3. Contributions	1,500.00	
G. Equipment:		
G-1. Office Equipment	39,000.00	
G-4. Motor Vehicles and Equipment	2,500.00	

For Codifying Commission Regulations and Decisions	1,400.00	
Property Reassessment	12,600.00	
Total (Item 9) General Operating .		$ 1,187,341.66
TOTAL (State Tax Commission) ...		$ 4,178,015.52

Provided, That the Tax Commission is hereby authorized to purchase revenue stamps and to draw warrants for the payment thereof against the revenue account for which they were purchased.

Provided, Further, That the cost of law enforcement with respect to alcoholic liquors in the Governor's Office and the cost of the administration of the Alcoholic Liquors Division of the Tax Commission shall be deducted from the total revenues from alcoholic liquors before distribution of such revenues to the counties and municipalities of the State.

Provided, Further, That the Revolving Fund which is maintained for the purpose of purchasing alcoholic beverages in connection with the Alcoholic Liquors Division, in law enforcement, shall be limited to $500.00.

Provided, Further, That the Tax Commission, with the approval of the Budget and Control Board, is authorized to expend from the revenue collected under the provisions of Act 654, Acts of 1956, such additional money as is necessary to the adequate administration and enforcement of the said Act.

SECTION 50

Insurance Department

Executive Control of Insurance:

A. Personal Service:

A-1. *Salaries:*

Administration:

Chief Insurance Commissioner	$ 14,700.00
Chief Deputy Insurance Commissioner	12,550.00
Deputy Ins. Commissioner—Technical	11,550.00
Deputy Ins. Commissioner—Administrative	11,550.00
Casualty Actuary	15,000.00

General Counsel	11,550.00
Assistant General Counsel	7,000.00
Executive Secretary	5,460.00
Legal Secretary	4,935.00
Directors	78,021.00
Actuary—Examiners	15,750.00
Analysts	35,410.00
Auditors	39,170.00
Bookkeepers	8,715.00
Clerk-Typists	17,004.00
Clerks	51,514.00
Coordinators	8,400.00
Examiners	83,100.00
Investigators	53,047.00
Secretaries	34,243.00
Statisticians	26,418.00
Stenographers	15,000.00
Extra Clerical Help	1,700.00
Administration Fire Marshal:	
Chief Deputy Fire Marshal	8,400.00
Deputy Fire Marshals	40,938.00
Administration LP-Gas:	
Director	8,400.00
LP-Gas Inspectors	28,420.00
Steno-Clerk	4,095.00
A-3. Special Payments	1,000.00
D. Fixed Charges and Contributions:	
D-1. State Office Building Rental	3,876.12
General Operating:	
B. Contractual Services:	
B-2. Travel	63,500.00
B-3. Telegraph and Telephone	10,000.00
B-4. Repairs	3,000.00
B-7. Other Contractual Services	1,500.00
C. Supplies:	
C-4. Office Supplies	25,000.00
D. Fixed Charges and Contributions:	
D-1. Rents	562.00
State Office Building Rental	18,669.66

D-2. Insurance	3,000.00	
D-3. Contributions	500.00	
G. Equipment:		
G-1. Office Equipment	2,500.00	
For Salary and Wage Adjustments	17,694.00	
Total (Insurance Department)		$ 802,841.78

SECTION 51

Contractors' Licensing Board

For Administration:		
A. Personal Service:		
A-1. *Salaries:*		
Secretary-Treasurer	$ 5,880.00	
Assistant Secretary	4,152.00	
Field Representative	5,762.00	
Steno-Clerk	2,693.00	
For Salary and Wage Adjustments	555.00	
A-3. Special Payments:		
Per Diem Board Members	300.00	
Examinations	3,500.00	
B. Contractual Services:		
B-2. Travel	5,000.00	
B-3. Telegraph and Telephone	500.00	
B-4. Repairs	125.00	
B-5. Printing and Advertising	100.00	
C. Supplies:		
C-4. Office Supplies	3,500.00	
D. Fixed Charges and Contributions:		
State Office Building Rental	1,136.64	
D-2. Bond Premium and Insurance	40.00	
G. Equipment:		
G-1. Office Equipment	200.00	
TOTAL (Contractors' Licensing Board)		$ 33,443.64

SECTION 52

State Service Bureau

Item 1. For Administration:		
A. Personal Service:		
A-1. *Salaries:*		
State Service Officer	$ 10,000.00	
Asst. State Service Officer	7,438.00	
Senior Field Investigator	6,710.00	
Junior Field Investigator	5,877.00	
Secretary	4,408.00	
Senior Stenographer	3,660.00	
B. Contractual Services:		
B-2. Travel	1,500.00	
B-3. Telegraph and Telephone	1,000.00	
B-4. Repairs	100.00	
C. Supplies:		
C-4. Office Supplies	1,200.00	
D. Fixed Charges and Contributions:		
D-1. Association Dues	100.00	
State Office Building Rental	3,243.42	
G. Equipment:		
G-1. Office Equipment	500.00	
Total (Item 1) For Administration		$ 45,736.42
Item 2. Operation of County Offices		$ 242,034.00
Item 3. Veterans' Administration Personnel:		
A. Personal Service:		
A-1. *Salaries:*		
Service Officer, VFW	$ 4,000.00	
Secretary, Service Officer, VFW	2,000.00	
Service Officer, DAV	5,340.00	
Secretary, DAV	660.00	
Service Officer, The American Legion	5,000.00	
Secretary, Service Officer, American Legion	1,000.00	
Total (Item 3) Veterans' Administration Personnel		$ 18,000.00

For Salary and Wage Adjustments	2,193.00
TOTAL (State Service Bureau)	$ 307,963.42

Provided, That for the fiscal year 1965-66, the amount appropriated in Item 2 of this section shall be distributed among the counties of the state as follows: The sum of Three Hundred ($300.00) Dollars shall be first allocated to each county of the State, and the remainder shall be distributed among the counties in the same proportion as provided in the original statute.

SECTION 53

Department of Agriculture

Item 1. Superintendence and Administration:		
A. Personal Service:		
A-1. *Salaries:*		
Commissioner	$ 15,000.00	
Deputy Commissioner	9,450.00	
Assistant to Commissioner	8,662.00	
Finance Officer	7,350.00	
Agriculturist	6,615.00	
Secretary	5,460.00	
Clerk-Typist	4,200.00	
Editor-Market Bulletin	4,777.00	
Clerks	12,865.00	
Stenographer	3,150.00	
Total (Item 1) Superintendence and Administration		$ 77,529.00
Item 1-A. Pure Food and Drug:		
A. Personal Service, Materials, Supplies and Equipment		$ 61,936.00
Item 2. Chemical Laboratory:		
A. Personal Service:		
A-1. *Salaries:*		
Director	$ 9,450.00	
Chief Chemist	8,250.00	
Secretary	4,725.00	
Stenographer	3,780.00	

Chemists	33,130.00	
Chief Seed Analyst	6,930.00	
Seed Analysts	23,380.00	
Seed Technicians	31,574.00	
Laboratory Technician	3,780.00	
A-2. Wages:		
Porter	2,310.00	
Total (Item 2) Chemical Laboratory		$ 127,309.00
Item 3. Bureau of Inspection:		
A. Personal Service:		
A-1. *Salaries:*		
Director	$ 8,662.00	
Secretary	4,200.00	
Secretary	4,095.00	
Seed, Feed, Oil and Scales:		
Inspectors	102,118.00	
Audit Clerk	5,250.00	
Auditors	16,800.00	
Stenographers	5,650.00	
Caretaker (Calibration Station)	735.00	
Total (Item 3) Bureau of Inspection		$ 147,510.00
Item 4. Warehouse Division:		
A. Personal Service:		
A-1. *Salaries:*		
Director	$ 7,875.00	
Secretary	4,410.00	
Chief Bookkeeper	7,350.00	
Audit Clerks	16,380.00	
Warehouse Auditors	38,640.00	
Clerk	4,830.00	
A-3. Special Payments:		
Extra Help	1,300.00	
Total (Item 4) (Warehouse Division)		$ 80,785.00

Item 5. Egg Law Enforcement:		
A. Personal Service:		
A-1. *Salaries:*		
Director	$ 7,800.00	
Inspectors	46,832.00	
B. Contractual Services:		
B-2. Travel	22,000.00	
Total (Item 5) Egg Law Enforcement		$ 76,632.00
Item 6. General Operating:		
B. Contractual Services:		
B-1. Freight, Express and Deliveries	$ 4,000.00	
B-2. Travel	69,500.00	
B-3. Telephone and Telegraph	4,400.00	
B-4. Repairs	5,500.00	
B-5. Printing and Advertising:		
Market Bulletin and Expense	56,000.00	
Agricultural Statistics	1,500.00	
B-6. Water, Heat, Light and Power	1,000.00	
C. Supplies:		
C-4. Office Supplies	36,000.00	
C-7. Educational Supplies	100.00	
C-8. Motor Vehicle Supplies	2,500.00	
C-11. Other Supplies	15,000.00	
D. Fixed Charges and Contributions:		
D-1. Rents	3,036.00	
State Office Building Rental	25,236.48	
D-2. Insurance	2,500.00	
D-3. Association Dues	269.50	
State Fair Exhibit	400.00	
G. Equipment:		
G-1. Office Equipment	1,500.00	
G-4. Motor Vehicles and Equipment	3,000.00	
G-8. Other Equipment	3,000.00	
Total (Item 6) General Operating		$ 234,441.98

For Salary and Wage Adjustments	15,268.00
TOTAL (Department of Agriculture)	$ 821,410.98

Provided, That the terms of Section 92 of this Act shall not apply to the Commissioner of Agriculture.

Provided, Further, That the Market Bulletin shall be classified as a newspaper for purposes of exemption from the retail sales tax.

SECTION 54

State Agricultural Marketing Commission

Item 1. For Administration:		
A. Personal Service:		
A-1. *Salaries:*		
Marketing Director	$ 5,682.00	
Market Coordinator	6,565.00	
Grain Grader	4,800.00	
Secretary	3,675.00	
A-3. Special Payments:		
Per Diem of Members	200.00	
B. Contractual Services:		
B-2. Travel	3,600.00	
B-3. Telegraph and Telephone	400.00	
B-4. Repairs	105.00	
B-5. Printing and Advertising	100.00	
C. Supplies:		
C-4. Office Supplies	200.00	
D. Fixed Charges and Contributions:		
D-3. Contributions	40.00	
G. Equipment:		
G-1. Office Equipment	200.00	
For Salary and Wage Adjustments	622.00	
Total (Item 1) For Administration		$ 26,189.00
Item 2. Farm Market Facilities, Surveys and Service		$ 25,000.00
TOTAL (State Agricultural Marketing Commission)		$ 51,189.00

SECTION 55

State Forestry Commission

Item 1.	Division of Forestry	$ 2,042,671.00
	Wildlife Management—Manchester State Forest	6,100.00
Item 2.	Division of State Parks	358,725.00
	Andrew Jackson Monument ..	2,500.00
Item 3.	Historical Areas	19,406.00
	For Salary and Wage Adjustments	47,796.00
TOTAL (State Forestry Commission)		$ 2,477,198.00

Provided, That, for reforestation purposes on State Forest lands, the State Forestry Commission is authorized to rent newly cleared lands for agricultural purposes, and to use the State's portion of the rent received therefrom for clearing additional lands, and, pending expenditures, such funds shall be held in a special account in the State Treasury.

Provided, Further, That the State Forestry Commission may refund deposits placed with the Commission with orders for tree seedlings and for park cabin reservations.

Provided, Further, That all net revenues derived from the operation of the fishing pier at the Myrtle Beach State Park shall be used for improvements at the said park.

Provided, Further, That the State Forestry Commission is hereby authorized to provide reasonable aid or assistance to its regular employees in moving their personal effects from one town or place to another town or place, when their headquarters are so moved in the course of the business of the department.

Provided, Further, That the Commission may, upon request, cut fire lanes for private persons and charge for same at the rate of $10.00 per hour for the use of heavy suppression units, and $8.00 per hour for use of medium suppression units. All such monies shall be deposited in a special fund to be used exclusively for the operation, maintenance and replacement of such units, upon the approval of the Budget and Control Board.

Provided, Further, That it is not the intention of the General Assembly by the enactment of the foregoing appropriations or any of them to in any wise modify, alter, amend, or repeal any law of this State relating to the opening, operation or closing of State Parks,

any prior construction by any court or courts to the contrary notwithstanding; and no appropriation for the operating of any State Park shall be available or expended except in strict observance and full compliance with all the provisions and requirements of State Laws prevailing and current at the time of such proposed operation of any State Park, and irrespective of any so-called civil rights this Proviso shall apply equally and uniformly to all persons under the law.

Provided ordinary group camp activities may be conducted within the State Parks.

Provided, Further, That revenue received by the Forestry Commission for hunting and fishing permits for Manchester State Forest shall be deposited in the State Treasury to the credit of the General Fund.

SECTION 56

Clemson University (Public Service Activities)

Item 1.	Agricultural Research	$ 1,287,665.00
Item 2.	Extension Division	1,306,822.00
Item 3.	Fertilizer Inspection and Analysis	99,002.00
Item 4.	Livestock and Poultry Health Department	384,368.00
Item 5.	Camp Bob Cooper	2,400.00
Item 6.	Camp Long	2,400.00
Item 7.	Camp Harry Daniel	2,400.00
	For Salary and Wage Adjustments	65,117.00
TOTAL (Clemson University—Public Service Activities) ...		$ 3,150,174.00

Provided, That the Agricultural Research Division of Clemson University shall remit to the State Treasurer all revenues, including funds derived from the sale of farm products, for credit to a special account in the State Treasury for Agricultural Research Work, and that such funds may be withdrawn from the State Treasury, as needed, for the use of the Agricultural Research Division.

Provided, Further, That out of the appropriation provided in this section for Agricultural Research the sum of $20,000, if so much be necessary, shall be used for research related to forest pests and the control of same, and whatever amount is deemed necessary shall be used in Poultry Research.

Provided, Further, That out of the appropriation provided in Item 4 of this Section the sum of $16,600.00, if so much be necessary, shall be used for meat inspection.

Provided, Further, That a Poultry Pathologist may be employed out of funds provided in Item 4 of this section.

Provided, Further, That out of the appropriation herein provided for Agricultural Research a sum of $65,000.00, if so much be necessary, shall be used for the program of Tobacco Mechanization Research.

SECTION 57

State Soil and Water Conservation Committee

For Administration:

A. Personal Service:		
A-1. *Salaries:*		
Executive Secretary	$ 9,182.00	
Clerk-Stenographer	3,429.00	
A-3. Special Payments:		
Per Diem:		
Members State Committee	600.00	
Clerical Help	200.00	
B. Contractual Services:		
B-2. Travel	13,000.00	
B-3. Telegraph and Telephone ..	500.00	
B-5. Printing and Advertising ..	900.00	
B-7. Soil Survey Agreement	35,000.00	
Watershed Planning Agreement	20,000.00	
C. Supplies:		
C-4. Office Supplies	900.00	
D. Fixed Charges and Contributions:		
State Office Building Rental ..	503.25	
G. Equipment:		
G-1. Office Equipment	300.00	
For Salary and Wage Adjustments	378.00	
Total (State Soil and Water Conservation Committee)		$ 84,892.25

SECTION 58

Department of Labor

Item 1. For Administration:	
Office of the Commissioner:	
A. Personal Service:	
A-1. *Salaries:*	
Commissioner	$ 12,600.00
Investigation Supervisor	6,060.00
Secretary to Commissioner	4,201.00
Bookkeeper	4,201.00
Senior Conciliator	6,420.00
Junior Conciliator	5,835.00
Junior Conciliator	5,655.00
Division of Inspection:	
Director of Inspection and Deputy Commissioner	6,825.00
Secretary to Director	4,201.00
Clerks	6,365.00
Inspectors	65,657.90
Division of Standards and Statistics:	
Director of Standards and Statistics	6,127.00
Secretary to Director	3,150.00
Statistician	4,201.00
Clerks (2)	6,079.09
A-3. Special Payments:	
Clerical Help	300.00
B. Contractual Services:	
B-2. Travel	39,500.00
B-3. Telephone and Telegraph	1,500.00
B-4. Repairs	300.00
B-5. Printing and Advertising	1,660.00
C. Supplies:	
C-4. Office Supplies	3,000.00
C-11. Other Supplies	100.00
D. Fixed Charges and Contributions:	
D-1. Rents	76.00
State Office Building Rental	7,709.39
D-3. Contributions:	
Association Dues	75.00
Fair Exhibits	400.00

G. Equipment:		
G-1. Office Equipment	350.00	
Total Item 1 (For Administration)		$ 202,548.38
Item 2. Division of Safety:		
A. Personal Service:		
A-1. *Salaries:*		
Safety Director .....$	6,127.00	
Safety Engineers	21,895.50	
Secretary	3,943.00	
Total Item 2 (Division of Safety) ..		$ 31,965.50
For Salary and Wage Adjustments		5,144.00
TOTAL (Department of Labor)		$ 239,657.88

SECTION 59

South Carolina Employment Security Commission

The salaries of the South Carolina Employment Security Commissioners are hereby fixed at Eight Thousand Five Hundred and Sixty-Five ($8,565.00) Dollars each.

SECTION 60

South Carolina Industrial Commission

Item 1. Administration:	
A. Personal Service:	
A-1. *Salaries:*	
Administrative:	
Commissioners (6) .....$	75,600.00
Supplemental Salary—Chairman	1,000.00
Administrative Assistant ...	9,135.00
Legal Secretaries (6)	24,000.00
Reporters (6)	35,514.00
Secretary	4,516.00
Senior Stenographer	3,816.00
Bookkeeper	4,849.00
Docket Clerk	3,465.00

Coverage:	
Compliance Officer	6,500.00
Secretary	3,619.00
Senior Stenographer	3,187.00
Senior Clerk	3,676.00
Senior Clerk	3,187.00
Claims:	
Claims Examiner	7,665.00
Assistant Claims Examiner	6,510.00
Senior Stenographer	4,040.00
Senior Clerk	3,187.00
Senior Clerk	2,943.00
Clerical:	
Senior Clerks (2)	7,632.00
Junior Clerk	3,187.00
Machine Operator	2,995.00
Clerk-Typist	2,943.00
Medical:	
Medical Consultant	2,661.00
Senior Stenographer	3,816.00
Safety:	
Senior Safety Engineer	6,200.00
Junior Safety Engineer	5,117.00
Statistical:	
Supervisor of Coverage and Statistics	6,500.00
Statistician	4,027.00
Statistician	4,027.00
Machine Operator	3,570.00
State Fund:	
Director	9,135.00
Assistant Director	5,429.00
Claims Investigator	5,545.00
Claims Investigator	4,653.00
Senior Stenographer	3,816.00
Senior Stenographer	3,816.00
Senior Clerk	3,187.00
Senior Payroll Auditor	5,545.00
Junior Payroll Auditor	4,774.00

Other Services:		
Mail Clerk	3,187.00	
Switchboard Operator	2,977.00	
Rehabilitation:		
Counselor	2,460.00	
Secretary	1,080.00	
A-3. Special Payments:		
Clerical Help	4,800.00	
B. Contractual Services:		
B-2. Travel	22,500.00	
B-3. Telegraph and Telephone	3,700.00	
B-4. Repairs	2,500.00	
B-5. Printing and Advertising	1,000.00	
C. Supplies:		
C-4. Office Supplies	18,000.00	
C-8. Motor Vehicle Supplies	4,000.00	
D. Fixed Charges and Contributions:		
D-1. Rents	6,250.00	
State Office Building Rental	32,393.14	
D-2. Insurance, Workmen's Comp. and Bonds	1,000.00	
D-3. Contributions	300.00	
G. Equipment:		
G-1. Office Equipment	2,800.00	
G-4. Motor Vehicles and Equipment	4,000.00	
For Salary and Wage Adjustments	8,521.00	
Total (S. C. Industrial Commission)		$ 426,452.14

SECTION 61

Wildlife Resources Department

Item 1. Division of Game:		
A. Personal Service:		
A-1. *Salaries:*		
Director	$ 9,460.00	
Assistant Director	10,000.00	
Chief Clerk	6,053.00	
Deputy Chief Clerk	5,252.00	

Secretary—License Clerk	4,578.00	
Secretaries	12,947.00	
Information and Education:		
Commission Sec'y and I & E Coordinator	8,332.00	
Chief of Education	6,737.00	
Information Assistant	5,462.00	
Secretaries	9,377.90	
A-2. Wages	2,628.00	
A-3. Special Payments:		
Commissioners (7)	700.00	
Clerical Help	2,000.00	
Hearing Fees	750.00	
B. Contractual Services:		
B-1. Freight, Express and Deliveries	150.00	
B-2. Travel	8,000.00	
B-3. Telegraph and Telephone..	2,500.00	
B-4. Repairs	1,450.00	
B-5. Printing and Advertising ..	10,250.00	
B-7. Other Contractual Services.	600.00	
C. Supplies:		
C-4. Office Supplies	4,050.00	
C-7. Educational Supplies	2,750.00	
C-8. Motor Vehicle Supplies ...	1,750.00	
C-12. Other Supplies	6,000.00	
D. Fixed Charges and Contributions:		
D-2. Insurance and Bonds	850.00	
D-3. Contributions and Dues ...	250.00	
D-4. Other Fixed Charges—Surveys	250.00	
D-5. Exhibits	1,000.00	
G. Equipment:		
G-1. Office Equipment	1,100.00	
G-7. Educational Equipment ...	2,000.00	
For Salary and Wage Adjustments	2,321.00	
Total Item 1 (Division of Game)..		$ 129,547.90

Item 2. Division of Boating:		
A. Personal Service:		
A-1. *Salaries:*		
Director	$ 3,140.00	
Chief of Boating	10,000.00	
Secretaries	7,963.00	
Secretary-IBM Operator	4,393.00	
Clerk-Bookkeeper	4,200.00	
A-3. Extra Clerical Help	3,600.00	
B. Contractual Services:		
B-1. Freight, Express and Deliveries	100.00	
B-2. Travel	1,500.00	
B-3. Telegraph and Telephone	1,000.00	
B-4. Repairs	3,600.00	
B-6. Heat, Light and Power	750.00	
B-7. Other Contractual Services	2,000.00	
C. Supplies:		
C-4. Office Supplies	5,000.00	
C-8. Motor Vehicle Supplies	6,000.00	
C-12. Other Supplies	4,000.00	
D. Fixed Charges and Contributions:		
D-2. Insurance	250.00	
D-4. Other Fixed Charges	3,600.00	
G. Equipment:		
G-1. Office Equipment	500.00	
G-4. Motor Vehicles and Equipment	3,000.00	
G-8. Other Equipment	4,500.00	
Salary and Wage Adjustments	811.00	
Total Item 2 (Division of Boating)		$ 69,907.00
Item 3. Division of Commercial Fisheries:		
A. Personal Service:		
A-1. *Salaries:*		
Auditor	$ 4,725.00	
Secretary and Bookkeeper	4,410.00	
District Inspectors	40,320.00	
Stenographer	3,318.00	

A-2. Wages	367.00	
A-3. Special Payments:		
To match Federal funds to promote Commercial Fish. Research and Development	9,000.00	
Clerical Help	300.00	
Operation Patrol Boats and Airplane Hire	1,250.00	
Legal Services	400.00	
Oyster and Clam Culture	400.00	
B. Contractual Services:		
B-2. Travel	18,000.00	
B-3. Telegraph and Telephone	1,200.00	
B-4. Repairs	2,000.00	
B-5. Printing and Advertising	25.00	
B-6. Water, Heat, Light and Power	300.00	
B-7. Other Contractual Services	50.00	
C. Supplies:		
C-1. Food Supplies	75.00	
C-4. Office Supplies	2,200.00	
C-5. Household, Laundry, Janitorial	50.00	
C-6. Medical Supplies	10.00	
C-8. Motor Vehicle Supplies	5,500.00	
C-10. Clothing and Dry Goods	900.00	
C-11. Maintenance Supplies	750.00	
D. Fixed Charges and Contributions:		
D-1. Rents	822.00	
D-2. Insurance	650.00	
G. Equipment:		
G-1. Office Equipment	350.00	
G-4. Motor Vehicle Equipment	6,000.00	
For Salary and Wage Adjustments	1,594.00	
Total (Item 3) Division of Commercial Fisheries		$ 104,966.00

Item 4. Bears Bluff Laboratories:	
A. Personal Service:	
A-1. *Salaries:*	
Director ..... $	12,243.00
Research Assistants (2)	13,174.00
Maintenance Supervisor	4,504.00
Secretary-Bookkeeper	4,448.00
Stenographer	3,205.00
A-2. Wages	3,263.00
A-3. Special Payments	500.00
Shrimp Survey	12,982.00
B. Contractual Services:	
B-2. Travel	350.00
B-3. Telegraph and Telephone ..	600.00
B-4. Repairs	350.00
B-5. Printing and Advertising ..	400.00
B-6. Water, Heat, Light and Power	360.00
B-7. Other Services	25.00
C. Supplies:	
C-1. Food Supplies	75.00
C-2. Fuel Supplies	400.00
C-4. Office Supplies	350.00
C-5. Household, Laundry and Janitorial Supplies	100.00
C-6. Medical Supplies	10.00
C-8. Motor Vehicle Supplies	700.00
C-11. Maintenance Supplies	1,000.00
C-12. Other Supplies	200.00
D. Fixed Charges and Contributions:	
D-2. Insurance	1,700.00
G. Equipment:	
G-1. Office Equipment	300.00
G-3. Household Equipment	100.00

G-8. Other Equipment	300.00	
For Salary and Wage Adjustments	1,350.00	
Total (Item 4) Bears Bluff Laboratories		$ 62,989.00
TOTAL (Wildlife Resources Department)		$ 367,409.90

Provided, That the total amount of appropriations made in items one and two of this section shall be transferred from the revenues of this department to the general fund of the State for payment of the appropriations made in said items.

Provided, Further, That all revenues derived from the operation of the Commercial Fisheries Division of this Department shall be deposited in the General Fund of the State.

Provided, Further, That no funds belonging to the counties of the State, now on hand or hereafter accruing to the counties, shall be expended except on approval of a majority of the respective county delegations, including the Senator. *Provided,* That an annual accounting of all such funds and expenditures shall be furnished by the Department to each county delegation upon its request.

Provided, Further, That no transfer of funds shall be permitted by the State Budget and Control Board from the game and fish revenues to supplement or increase the appropriations provided in this section, it being the intent of the General Assembly that the remainder of the game and fish revenues shall be expended only for the actual protection and propagation of game and fish in the State.

Provided, Further, That any member of the armed forces of the United States, on active duty, who is on furlough or leave, shall, upon presentation of his official furlough or leave papers, be allowed to fish or hunt without purchasing a fishing or hunting license, or permit.

Provided, Further, That the Wildlife Resources Department is hereby directed to reimburse the State's General Fund out of revenue collected by the department for Workmen's Compensation awards made by the Industrial Commission for employees of the Department during the preceding fiscal year.

SECTION 62

Board of Bank Control

Item 1. Board of Bank Control:		
A. Personal Service:		
A-1. *Salaries:*		
Secretary	$ 5,880.00	
A-3. Special Payments:		
Per Diem of Board	550.00	
Official Expense Allowance—Chairman	636.00	
B. Contractual Services:		
B-2. Travel	1,000.00	
D. Fixed Charges and Contributions:		
D-1. Rent	18.00	
State Office Building Rental	917.76	
Total (Item 1) Board of Bank Control		$ 9,001.76
Item 2. Examining Division:		
A. Personal Service:		
A-1. *Salaries:*		
Chief Bank Examiner	$ 12,860.00	
Assistant Chief Bank Examiner	9,450.00	
Assistant Examiners	82,589.00	
Secretary	5,440.00	
Stenographer	4,902.00	
Stenographer	4,586.00	
Stenographer	4,095.00	
B. Contractual Services:		
B-2. Travel	54,000.00	
B-3. Telegraph and Telephone	1,200.00	
B-4. Repairs	600.00	
B-5. Printing and Advertising	50.00	
B-7. Other Contractual Services	1,200.00	
C. Supplies:		
C-4. Office Supplies	1,750.00	
D. Fixed Charges and Contributions:		
D-1. Rents	18.00	
State Office Building Rental	2,881.56	

D-2. Insurance	137.50	
D-3. Contributions	275.00	
G. Equipment:		
G-1. Office Equipment	1,500.00	
Total (Item 2) Examining Division		$ 187,534.06
Item 3. Small Loan Division:		
A. Personal Service:		
A-1. *Salaries:*		
Director	$ 11,550.00	
Assistant Director	8,820.00	
Examiners	32,172.00	
Secretary	5,355.00	
A-3. Special Payments:		
Per Diem of Board	500.00	
Official Expense Allowance—		
Chairman	1,590.00	
Secretary of Board	735.00	
Hearing Fees	965.00	
B. Contractual Services:		
B-2. Travel	28,000.00	
B-3. Telegraph and Telephone	600.00	
B-4. Repairs	350.00	
C. Supplies:		
C-4. Office Supplies	2,500.00	
D. Fixed Charges and Contributions:		
D-1. Rents	18.00	
State Office Building Rental	1,774.08	
D-2. Insurance	137.50	
D-3. Contributions	100.00	
G. Equipment:		
G-1. Office Equipment	1,000.00	
Total (Item 3) Small Loan Division		$ 96,166.58
For Salary and Wage Adjustments		5,491.00
TOTAL (Board of Bank Control)		$ 298,193.40

Provided, That the Board of Bank Control shall fix the examination fees of banks, depositories, and building and loan associations on a

scale which will yield sufficient revenue to defray the entire expenses of one examination per year for each bank, depository, and building and loan association.

SECTION 63

Public Service Commission

Item 1. For Administration:	
A. Personal Service:	
A-1. *Salaries:*	
Chairman	$ 10,192.00
Commissioners (6)	59,562.00
Executive Secretary	8,650.00
Asst. Secretary	6,275.00
Director of Rate Bureau	9,975.00
Office Assistant	5,460.00
Director, Telephone, Gas and Water	8,625.00
Assistant Director	8,625.00
Accountant	6,353.00
Field Auditor	6,000.00
Stenographers (2)	8,145.00
Chief Engineer	7,850.00
Official Reporters (2)	11,172.00
A-2. Wages	2,364.00
B. Contractual Services:	
B-2. Travel	25,000.00
B-3. Telegraph and Telephone ..	2,000.00
B-4. Repairs	500.00
B-5. Printing and Advertising ..	100.00
Printing—Litigation	750.00
C. Supplies:	
C-4. Office Supplies	3,200.00
D. Fixed Charges and Contributions:	
D-1. Rents	1,666.67
State Office Building Rental	12,099.84
D-2. Insurance	100.00
D-3. Contributions	875.00

G. Equipment:		
G-1. Office Equipment	200.00	
For Salary and Wage Adjustments	4,565.00	
Total (Item 1) For Administration		$ 210,304.51
Item 2. Motor Transport Division:		
A. Personal Service:		
A-1. *Salaries:*		
Director .....$	9,069.00	
Office Assistant	6,300.00	
Chief Clerk	5,615.00	
Cashier	8,000.00	
Insurance Clerk	4,162.25	
Stenographer	4,867.25	
Steno-Clerk	4,528.25	
Steno-Clerk	3,942.25	
Clerk	3,780.00	
Chief Inspector, District No. 1.	6,300.00	
Chief Inspector, District No. 2.	6,300.00	
Inspectors	101,954.00	
A-3. Special Payments:		
Experts, Investigations and Extra Clerical Help	700.00	
B. Contractual Services:		
B-2. Travel	53,000.00	
B-3. Telegraph and Telephone...	1,800.00	
B-4. Repairs	200.00	
B-6. Water, Heat, Light and Power	30.00	
C. Supplies:		
C-4. Office Supplies	5,000.00	
C-8. Motor Vehicle Supplies ...	500.00	
C-12. Other Supplies (License Plates)	1,800.00	
D. Fixed Charges and Contributions:		
D-1. Rents	1,680.00	
D-2. Insurance	879.00	

G. Equipment:		
G-1. Office Equipment	250.00	
For Salary and Wage Adjustments	4,534.00	
Total (Item 2) Motor Transport Division		$ 235,191.00
Item 3. Utilities Division:		
A. Personal Service:		
A-1. *Salaries:*		
Director	$ 8,632.00	
Assistant Director	7,875.00	
Accountant	6,353.00	
Engineers (2)	12,179.00	
Field Inspector	6,295.00	
Typist	1,924.00	
Stenographers (2)	8,558.00	
B. Contractual Services:		
B-2. Travel	4,000.00	
B-3. Telegraph and Telephone	750.00	
C. Supplies:		
C-4. Office Supplies	750.00	
C-8. Motor Vehicle Supplies	500.00	
For Salary and Wage Adjustments	1,554.00	
Total (Item 3) Utilities Division		$ 59,370.00
TOTAL (Public Service Commission)		$ 504,865.51

Provided, That the appropriation for Item 3 of this Section shall be assessed against and collected from the electric light and power companies, operating in this State and shall be based upon the gross revenues of said companies from their business done wholly within the State of South Carolina as is set out in Section 58-60 of the Code of Laws of South Carolina, 1962.

Provided, Further, That all public service companies doing business in this State, shall, on or before June 30, 1965, furnish the Comptroller General in such form as he may require, a statement setting forth the gross income of such public service company for the year ending December 31, 1964.

Provided, Further, That telephone companies are authorized to furnish free telephone service for official business to the Public Service Commission.

Provided, Further, That the Motor Transport Division of the Public Service Commission is hereby authorized to make refunds of fees which were erroneously collected.

Provided, Further, That the Commission, within its discretion, may pro-rate and adjust any portion or all of the license fees for D, E, and F certificate holders as between vehicles and units of various types.

SECTION 64

South Carolina Aeronautics Commission

Item 1. For Administration:		
A. Personal Service:		
A-1. *Salaries:*		
Director	$ 11,773.00	
Assistant Director	8,359.00	
Secretary to Commission	4,095.00	
Office Manager	5,500.00	
Stenographer	3,150.00	
A-2. Wages:		
Janitor	2,151.00	
A-3. Special Payments	6,500.00	
Total (Item 1) For Administration		$ 41,528.00
Item 2. For Regulation, Training and Inspection:		
A. Personal Service:		
A-1. *Salaries:*		
Flight Inspector		$ 7,395.00
Item 3. For Airport Maintenance:		
A. Personal Service:		
A-1. *Salaries:*		
Chief Supervisor	$ 6,000.00	
Electrician	4,095.00	
Machine Operators	17,970.00	

A-2. Wages:		
Laborers	4,302.00	
Temporary Help	4,500.00	
Total (Item 3) For Airport Maintenance		$ 36,867.00
Item 4. For Equipment Maintenance:		
A. Personal Service:		
A-1. *Salaries:*		
Shop Foreman	$ 4,975.00	
Mechanic	4,095.00	
Total (Item 4) For Equipment Maintenance		$ 9,070.00
Item 5. For Operation:		
B. Contractual Services:		
B-2. Travel	$ 11,000.00	
B-3. Telegraph and Telephone	2,700.00	
B-4. Repairs	9,000.00	
B-5. Printing and Advertising	700.00	
B-6. Water, Heat, Light and Power	7,300.00	
B-7. Other Contractual Services	5,000.00	
C. Supplies:		
C-4. Office Supplies	3,000.00	
C-8. Motor Vehicle Supplies	9,000.00	
C-11. Other Supplies	400.00	
D. Fixed Charges and Contributions:		
D-1. Rents	50.00	
D-2. Insurance	5,500.00	
D-3. Contributions	800.00	
G. Equipment:		
G-1. Office Equipment	500.00	
G-4. Motor Vehicles and Equipment	2,500.00	
Total (Item 5) For Operation		$ 57,450.00
Item 6. Maintenance and Improvements of Airports		$ 50,000.00

Item 7. Special Maintenance Fund for State System Airports:		
A. Personal Service:		
A-1. *Salaries:*		
Resident Maintenance Supervisors		$ 15,228.00
Item 8. State Aid for Airport Developments:		
Berkeley County Airport		22,000.00
Horry County Airport		36,675.00
Marion County Airport		19,000.00
Summerville Airport		20,000.00
For Salary and Wage Adjustments		2,727.00
TOTAL (South Carolina Aeronautics Commission)		$ 317,940.00

SECTION 65

State Development Board

Item 1. For Administration:		
A-1. *Salaries:*		
Director	$	18,900.00
Assistant Director		12,600.00
Administrative Assistant		6,353.00
Industrial Agent		8,348.00
Senior Stenographer		3,550.00
Supply Room Clerk		3,200.00
Industrial Engineer		11,025.00
Secretary to Assistant Director		4,552.00
Senior Stenographer		3,905.00
Senior Stenographer		3,690.00
Junior Accountant		5,509.00
Field Men		54,250.00
Agricultural and Internal Industries Division:		
Assistant Director		15,026.00
Agricultural Industries Specialist		8,400.00
Industrial Markets Specialist		9,113.00
Secretary		4,530.00

A-3. Special Payments:		
Board Members	1,500.00	
Clerical Help	1,500.00	
B. Contractual Services:		
B-1. Freight, Express and Deliveries	250.00	
B-2. Travel and Promotional Activities	32,000.00	
B-3. Telegraph and Telephone	18,000.00	
B-4. Repairs	5,000.00	
B-7. Other Contractual Services:		
(a) Matching Funds for USGS Water Investigations, etc.	35,400.00	
C. Supplies:		
C-4. Office Supplies	12,000.00	
C-7. Educational Supplies	2,300.00	
C-8. Motor Vehicle Supplies	4,000.00	
C-12. Other Supplies	150.00	
D. Fixed Charges and Contributions:		
D-1. Rents	2,500.35	
State Office Building Rental	19,666.56	
D-2. Insurance	1,500.00	
D-3. Contributions	600.00	
G. Equipment:		
G-1. Office Equipment	2,500.00	
G-2. Motor Vehicle Equipment	6,000.00	
Total (Item 1) Administration		$ 317,817.91
Item 2. Division of Geology:		
A. Personal Service:		
A-1. *Salaries:*		
State Geologist	$ 11,019.00	
Secretary	4,541.00	
Project Geologists	9,000.00	
Engineering Services	1,500.00	
Draftsman	650.00	
Field Assistants	1,260.00	
B. Contractual Services:		
B-2. Travel	3,000.00	
B-4. Repairs	750.00	

B-5. Printing, Binding and Advertising	4,000.00	
B-7. Other Contractual Services:		
(a) Matching Funds for topo mapping	400.00	
C. Supplies:		
C-7. Educational Supplies	250.00	
C-8. Motor Vehicle Supplies	750.00	
C-12. Other Supplies	500.00	
G. Equipment:		
G-8. Other Equipment	250.00	
Total (Item 2) Division of Geology.		$ 37,870.00
Item 3. Travel and Information Division:		
A. Personal Service:		
A-1. *Salaries:*		
Chief	10,600.00	
Assistant Chief	8,085.00	
Secretary	3,905.00	
Clerk—Typist	3,003.00	
B. Contractual Services:		
B-5. Printing, Binding and Advertising:		
Industrial	125,000.00	
Promotion of Tourist Industry	225,000.00	
Total (Item 3) Travel and Information Division		$ 375,593.00
Item 4. Research Division:		
A. Personal Service:		
A-1. *Salaries:*		
Chief of Research	$ 10,080.00	
Research Assistant	5,670.00	
Research Secretary	4,095.00	
Total (Item 4) Research Division		$ 19,845.00

Item 5. Aircraft Operation and Maintenance:		
A. Personal Service:		
A-1. *Salaries:*		
Chief Pilot and Field Man	$ 9,240.00	
Co-Pilot and Field Man	6,353.00	
Substitute Crew Member	500.00	
B. Contractual Services:		
B-1. Travel and Promotional Activities	5,000.00	
B-4. Repairs	20,000.00	
B-6. Water, Heat, Light and Power	50.00	
C. Supplies:		
C-7. Educational Supplies	75.00	
C-8. Aviation Fuel and Motor Vehicle Supplies	15,000.00	
D. Fixed Charges and Contributions:		
D-2. Insurance	3,782.00	
Total (Item 5) Aircraft Operation and Maintenance		$ 60,000.00
Item 6. Development Research Center		$ 17,800.00
For Salary and Wage Adjustments		6,454.00
Item 7. Expanded Economic Development Program:		
Distribution	$ 68,000.00	
Home Industry	86,000.00	
Service and Supporting Industry	42,000.00	
Planning Program	50,000.00	
Total (Item 7) Expanded Economic Development Program		$ 246,000.00
Total (State Development Board)		$ 1,081,379.91

SECTION 66

Civil Defense Agency

Personal Service	$ 68,722.71	
Contractual Services	10,775.00	
Supplies	4,150.00	
Fixed Charges	1,425.00	
State Office Building Rental	16,444.42	
Equipment	2,250.00	
Contingencies	1,000.00	
For Salary and Wage Adjustments	2,069.00	
TOTAL (Civil Defense Agency)		$ 106,836.13

SECTION 67

Miscellaneous Appropriations

Item 1.	To the Workmen's Compensation Fund to cover Compensation Insurance for State employees	$ 125,000.00
Item 2.	Woodrow Wilson Home—Maintenance Repairs	650.00
Item 3.	Rocky Bottom Camp	2,400.00
Item 4.	Regional Education Board:	
	Scholarships	267,236.00
	Administration	3,606.00
	State Office Building Rental	1,362.14
Item 5.	Atlantic States Marine Fisheries Commission Dues	900.00
Item 6.	South Carolina School Committee	25,000.00
Item 7.	Poet Laureate	1,200.00
Item 8.	Confederate War Centennial Commission	35,000.00
Item 9.	Tax Study Committee	10,000.00
Item 10.	Committee on Mental Health and Mental Institutions	4,000.00
Item 11.	Judicial Council	11,500.00
Item 12.	S. C. Defense Scholarship Fund	100,000.00

Item 17.	Highway Department—Beach Erosion Research ..	10,000.00
	Highway Department—Beach Erosion Control—Hunting Island	136,000.00
Item 20.	Committee to Study Communist Activities	10,000.00
Item 23.	Council for Ageing	25,000.00
Item 24.	Committee to Study State Education System	25,000.00
Item 26.	Committee on Nursing	2,000.00
Item 27.	Mental Retardation Council State Office Building Rental	902.19
Item 29.	To provide an emergency fund for pest control for use by South Carolina Crop Pest Commission and South Carolina Forestry Commission, allotments to be approved by the State Budget and Control Board	$ 25,000.00
Item 30.	Archaeological Research ...	$ 22,100.00
Item 33.	Historic Columbia Foundation: to aid in purchase of Boylston Gardens	37,500.00
	Total (Miscellaneous Appropriations)	$ 881,356.33

Provided, That warrants for the disbursement of the appropriation in Item 5 of this section shall be approved by the Executive Committeeman from South Carolina.

Provided, Further, That of the amount appropriated in Item 4 of this section whatever amount may be necessary and available may be used by the State Board for paying the actual difference between State and Out-of-State tuition fees for non-contract students, not to exceed, however, the sum of $350.00 for any medical or dental student, nor the sum of $300.00 for any student of veterinary medicine, landscape architecture, optometry, Physical Therapy, Occupational Therapy, Chiropractics, and students for Insurance Actuary. *Provided, Further,* That when any such non-contract student is approved by the State Board the payment provided herein shall be made di-

rectly to the institution or school involved for the account of such student, and shall not exceed one-third of the tuition charge.

Provided, Further, That out of the amount appropriated in Item 4 of this Section for scholarships, a sum not in excess of $60,000.00, may be used by the South Carolina Regional Educational Board to provide scholarships at out-of-State institutions, in courses not available at the South Carolina State College, but which are available at other State Institutions of Higher Learning which applicants for such scholarships are legally ineligible to attend. The amount of such scholarships shall not exceed the difference between the tuition charge at the South Carolina State College and the tuition fee charged by such out-of-State Institutions.

Provided, Further, That funds appropriated in Item 4 of this section for Scholarships (Grant-in-Aid) for study at private or state-supported institutions shall be only in fields of study offered by some state-supported institution in the United States; however, this proviso shall not apply to Chiropractics.

Provided, Further, That the Tax Study Committee is directed to review statutes relating to taxation of all electric power utilities, including privately and publicly owned utilities and the exemptions afforded both privately and publicly owned utilities, including electric cooperatives, with the objective of recommending to the General Assembly a fair and practicable plan for the imposition of a fair and equitable tax on the above mentioned utilities.

Provided, Further, That the twenty-five thousand dollars ($25,000.00) brought forward from the 1963-64 General Appropriations Act for improvements to the airport at Gaffney may be carried forward and expended for the same purposes in 1965-66.

SECTION 68

Contributions

Item 1.	Association of the Blind ...	$ 25,000.00
Item 2.	Confederate Museum	100.00
Item 3.	Spanish War Veterans	1,000.00
Item 4.	Council State Governments.	10,000.00
Item 5.	Carolina Orphan Home	25,000.00
Item 6.	Oakley Park Red Shirt Shrine	1,800.00
Item 7.	Commission on Uniform State Laws	950.00

Commission on Uniform State Laws—Travel	900.00
Item 8. The Florence Crittenten Home (Charleston)	4,500.00
Item 9. Civil Air Patrol	25,000.00
Item 10. World War I Veterans Organization	4,000.00
TOTAL (Contributions)	$ 98,250.00

SECTION 69

Aid to Subdivisions

Item 1. Aid to Counties:		
Income Tax	$ 5,013,750.00	
Alcoholic Liquors Tax	2,740,000.00	
Beer and Wine Tax	812,000.00	
Insurance Tax	2,000,000.00	
Bank Tax	360,000.00	
Gasoline Tax	8,400,000.00	
Total (Item 1) Aid to Counties		$19,325,750.00
Item 2. Aid to Municipalities:		
Alcoholic Liquors Tax	$ 2,055,000.00	
Beer and Wine Tax	1,392,000.00	
Insurance Tax	200,000.00	
Bank Tax	180,000.00	
Motor Transport Fees	780,000.00	
Total (Item 2) Aid to Municipalities		4,607,000.00
TOTAL (Aid to Subdivisions)		$23,932,750.00

Provided, That the above revenues shall be deposited in the General Fund of the State, and notwithstanding the amounts appropriated in the various items of this section, shall be allocated and paid to the Counties and Municipalities of the State in conformity with the percentages or proportions of such revenues prescribed by law.

SECTION 70

State Highway Department

For Operation, Maintenance and Construction:	
General Administration	$ 945,795.00
Engineering Administration	571,387.00
Motor Vehicle Administration	1,616,480.00
General Expense	276,235.00
Highway Maintenance	18,359,200.00
State Institutions	100,000.00
State Parks	10,000.00
Damage Claims	150,000.00
Highway Patrol	4,330,885.00
School Bus Driver Training	62,700.00
Debt Service	308,625.00
FICA, Retirement and Workmen's Compensation	2,250,000.00
Radio Maintenance	5,000.00
Equipment and Supply Costs	139,700.00
Equipment Purchases	2,165,300.00
Land and Buildings	250,000.00
Debt Retirement	4,040,000.00
Highway Construction and other purposes	31,036,145.00
Uninsured Motorists Act	289,120.00
TOTAL (Highway Department)	$66,906,572.00

Provided, That the State Highway Department is hereby authorized to spend all cash balances brought forward from the previous year and all income including Federal Funds and proceeds from bond sales accruing to the State Highway Department, but in no case shall the expenditures of the State Highway Department exceed the amount of cash balances brought forward from the preceding year plus the amount of all income including Federal Funds and proceeds from bond sales.

Provided, Further, That the State Highway Department, with the approval of the State Treasurer, is hereby authorized to set up with the State Treasurer such special funds out of State Highway funds as may be deemed advisable for proper accounting purposes.

Provided, Further, That the State Highway Department is hereby authorized to provide reasonable aid or assistance to its regular employees in moving their personal effects from one town or place to another town or place where their headquarters are so moved in the course of the business of the Department.

Provided, Further, That the State Highway Department is hereby authorized to secure bonds and insurance covering such activities of the Department as may be deemed proper and advisable, due consideration being given to the security offered and the service of claims.

Provided, Further, That the State Highway Department may set aside and deposit in its name the sum of five hundred thousand dollars as a revolving fund, and all payments from such fund shall be restored to the fund by vouchers drawn on the Comptroller General against the State Highway fund.

Provided, Further, That the State Highway Department is authorized to pay the cost of lighting the Gervais Street Bridge, between Columbia and West Columbia.

Provided, Further, That the State Highway Department is hereby authorized to charge a fee of thirty cents postage for every vehicle license mailed to the owner.

Provided, Further, That employees of the State Highway Department shall receive a wage of not less than $1.00 per hour, and no employee shall receive less than $8.00 for an eight-hour work day.

Provided, Further, That the State Highway Department is hereby authorized to charge a fee of $1.00 each for furnishing certified copies of abstracts of operating records of drivers in the administration of the Motor Vehicle Safety Responsibility Act of 1952, as amended; and also may establish an appropriate schedule of fees to be charged for copies of other records, lists, bidders' proposals, plans, maps, etc. based upon approximate actual costs of producing such copies, lists, bidders' proposals, plans, maps, etc., which schedule shall be effective upon approval by the State Highway Commission.

Provided, Further, That the Highway Department may sell any materials, supplies, or equipment classified as obsolete, surplus, or junk for which the Department has no further need, or offer same for trade-in in the purchase of new materials or equipment. All such sales of obsolete, surplus or junk materials or equipment by the Department shall be to the highest bidder not less than 10 days after having been advertised in a newspaper of statewide circulation at least once. *Provided,* That items having a value of less than $25.00

may be disposed of by sale in the most advantageous way to the Department, and *provided further,* that the State Highway Department may make negotiated sales of surplus materials, equipment and supplies to county, state, and municipal agencies on a mutually agreed upon basis. All proceeds from the sale of such obsolete, surplus or junk material, supplies, and equipment shall be credited to the State Highway Fund.

Provided, Further, That the State Highway Department shall pay into the General Fund of the State the sum of $402,178.00 as its proportionate share of the cost of administration of the following departments:

State Treasurer's Office	$ 23,500.00
Comptroller General's Office	28,000.00
Attorney General's Office	115,000.00
State Budget and Control Board:	
Purchasing Division	29,000.00
State Tax Commission:	
Collection of Highway Revenue	206,678.00
Total	$ 402,178.00

SECTION 71

Recapitulation

Maintenance and Operation:

Section 3.	Legislative Department	$ 1,058,757.19
Section 4.	Judicial Department	742,545.50
	Executive and Administrative Division	
Section 5.	Governor's Office	790,532.58
Section 6.	Lieutenant Governor's Office	
Section 7.	Secretary of State	91,077.88
Section 8.	Comptroller General	764,549.08
Section 9.	Attorney General	424,155.12
Section 10.	State Treasurer	2,507,505.12
Section 11.	Adjutant General	256,829.20
	Educational Division	
Section 12.	University of South Carolina	6,363,613.00
Section 13.	The Citadel	1,689,189.00
Section 14.	Clemson University (Educational and General)	4,961,577.00

Section 15.	Winthrop College	2,411,989.00
Section 16.	State Medical College	4,047,826.00
Section 17.	S. C. State College	1,928,366.00
Section 18.	John de la Howe School	283,406.00
Section 19.	School for the Deaf and the Blind	886,038.00
Section 20.	State Superintendent of Education	99,734,056.32
Section 21.	South Carolina Opportunity School	231,987.00
Section 22.	State Agency of Vocational Rehabilitation	800,197.58
Section 23.	State Educational Finance Commission	22,125,066.25
Section 24.	Educational Television Commission	1,719,040.00
Section 25.	State Library Board	122,185.51
Section 26.	State Schoolbook Commission	92,892.25
Section 27.	Advisory Committee for Technical Training	1,826,355.69
Section 28.	Archives Department	141,061.00
Section 29.	State Library	15,476.50
Section 30.	Confederate Relic Room	4,072.00

Correctional and Welfare Division

Section 31.	Department of Public Welfare	7,971,626.50
Section 32.	State Department of Mental Health	11,580,260.06
Section 33.	Whitten Village	3,488,666.50
Section 34.	Retarded Children's Habilitation Center	107,084.85
Section 35.	South Carolina Sanatorium	1,262,827.00
Section 36.	S. C. Alcoholic Center	210,036.25
Section 37.	Children's Bureau	156,881.96
Section 38.	Probation, Parole and Pardon Board	547,501.00
Section 39.	Department of Corrections	1,888,795.25
Section 40.	State Industrial Schools' Board	59,851.70
Section 41.	South Carolina School for Boys	366,434.00
Section 42.	S. C. School for Girls	158,832.00
Section 43.	John G. Richards School for Boys	324,915.00
Section 44.	Riverside School for Girls	117,674.00

Regulatory Division

Section 45.	State Budget and Control Board	25,693,326.05
Section 46.	Board of Health	3,299,283.72
Section 47.	Water Pollution Control Authority	90,249.00
Section 48.	State Dairy Commission	82,241.20
Section 49.	Tax Commission	4,178,015.52
Section 50.	Insurance Department	802,841.78

Section 51.	Contractors' Licensing Board	33,443.64
Section 52.	State Service Bureau	307,963.42
Section 53.	Department of Agriculture	821,410.98
Section 54.	State Agricultural Marketing Commission	51,189.00
Section 55.	State Forestry Commission	2,477,198.00
Section 56.	Clemson University (Public Service Activities)	3,150,174.00
Section 57.	State Soil and Water Conservation Committee	84,892.25
Section 58.	Department of Labor	239,657.88
Section 60.	Industrial Commission	426,452.14
Section 61.	Wildlife Resources Department	367,409.90
Section 62.	Board of Bank Control	298,193.40
Section 63.	Public Service Commission	504,865.51
Section 64.	Aeronautics Commission	317,940.00
Section 65.	State Development Board	1,081,379.91
Section 66.	Civil Defense Agency	106,836.13
	Miscellaneous Division	
Section 67.	Miscellaneous Appropriations	881,356.33
Section 68.	Contributions Division	98,250.00
Section 69.	Aid to Subdivisions	23,932,750.00
	Total General Fund	$253,589,051.60
Section 70.	Highway Department	66,906,572.00
	GRAND TOTAL	$320,495,623.60

SECTION 72. The expenditure of money appropriated in this Act shall be by warrant requisitions directed to the Comptroller General. Upon receipt of the requisition, accompanied by invoices or other satisfactory evidence of the propriety of the payment, and itemized according to standard budget classifications, the Comptroller General shall issue his warrant on the State Treasurer to the payee designated in the requisition. *Provided, However,* That upon approval and designation by the State Budget and Control Board, state institutions may requisition funds in favor of their own treasurer, itemized only to the extent of the purpose of the appropriation as expressed in this Act, and may deposit such funds in the name of the institution, and disburse same by check to meet the purposes of the

appropriation, but strict account shall be kept of all such expenditures according to standard budget classifications.

SECTION 73. Upon the approval and designation of the State Budget and Control Board, state institutions may, at the beginning of the fiscal year, requisition from their respective appropriations, a sum of money, the amount of same to be approved by the State Budget and Control Board, to be used throughout the year as a revolving fund for the handling of payrolls and other necessary operating expenses, all payments from such revolving funds to be reimbursed to them by regular requisitions on the Comptroller General.

Provided, Further, That at all state institutions where institutional revenue is available for operation, such revenue shall, as far as practicable, be used before appropriations from the State's General Fund are requisitioned; and no funds shall be requisitioned from such appropriation except to meet actual operating obligations of the year for which such appropriations are provided.

SECTION 74. During the fiscal year 1965-66, student fees at the State institutions of higher learning shall be fixed by the respective Boards of Trustees as follows:

(1) Fees applicable to academic and general maintenance and operation costs shall be maintained at rates not less than those prevailing in the year 1964-65, with the following additional charges to be imposed: by The Citadel, $70.00 per resident student, and $275.00 per non-resident student; by the University of South Carolina, $250.00 per non-resident student; by Clemson University, $250.00 per non-resident student; by Winthrop College, $275.00 per non-resident student; and by State College, $250.00 per non-resident student. The additional fees hereby imposed shall be so designated as to make the revenue therefrom available for maintenance and operation of the respective institutions, as distinguished from tuition and/or other fees pledged for retirement of indebtedness.

(2) Fees applicable to dormitory rental, dining halls, laundry, infirmary and all other personal subsistence expenses shall be sufficient to fully cover the cost of providing such facilities and services.

(3) Student Activity Fees may be fixed at such rates as the respective Boards shall deem reasonable and necessary.

SECTION 75. The University of South Carolina, The Citadel, Clemson University, Winthrop College, S. C. State College, the South Carolina Medical College (including revenue of the Medical

College Hospital), and the South Carolina Opportunity School shall remit all revenues and income, collected at the respective institutions, to the State Treasurer according to the terms of Section 1 of this Act, but all such revenues or income so collected, except fees received as regular term tuition, matriculation, and registration, shall be carried in a special continuing account by the State Treasurer, to the credit of the respective institutions, and may be requisitioned by said institutions, in the manner prescribed in Section 71 of this Act, and expended to fulfill the purpose for which such fees or income were levied, but no part of such income shall be used for permanent improvements without the express written approval of the State Budget and Control Board; and it is further required that no such fee or income shall be charged in an amount in excess of what is necessary to supply the service, or fulfill the purpose for which such fee or income was charged. *Provided, Further,* That money derived wholly from athletic or other student contests, and any other funds derived wholly from the activities of student organizations, including income from the operation of canteens (at all State institutions) and bookstores, shall not be considered as State funds, and may be retained at the institutions. *Provided, Further,* That the University of South Carolina may operate its Law School in the summer of 1965, both summer school and summer term, as it may be advised, and retain all additional tuition and other fees charged the law students therefor to aid it in such operation.

SECTION 76. All departments, institutions, and agencies of the State are hereby required and directed to budget and allocate the appropriations herein made to them, so as to provide for operation on uniform standards throughout the fiscal year 1965-66, and in order to avoid a deficiency in such appropriations, and upon request of the Budget and Control Board to submit to the Board its budget or plan of operation for the year, and the said Board is authorized to restrict the rate of expenditures of such agency if it appears that an unjustifiable deficit is likely to occur. *Provided, Further,* That the bonds of State officials violating the terms of this section shall be held liable thereof, unless the State Budget and Control Board has been advised of, and officially recognizes, the necessity for such deficit.

SECTION 77. Each department, institution, or other agency of the State is authorized to accept and receive such Federal Aid or grants

as are or may be made available by the Federal Government for use in carrying out the purposes and functions of the department, institution or agency, but such funds when and as received, shall be deposited in the state treasury, if not in conflict with Federal regulations, and withdrawn therefrom as needed, in the same manner as that provided for the disbursement of state funds. If it shall be determined that federal funds are not available for, or cannot be appropriately used in connection with, all or any part of any activity or program for which state funds are appropriated in this Act on a matching basis, the appropriated funds may nevertheless be expended for the activities or programs for which appropriated without regard to any matching arrangement. *Provided, Further,* that donations or contributions from sources other than the Federal Government, for use by any state agency, shall be deposited in the state treasury, but in special accounts, and shall be withdrawn from the treasury as needed to fulfill the purposes and conditions of the said donations, or contributions, if specified, and, if not specified, as may be directed by the proper authorities of the department or institution.

SECTION 78. Except as otherwise provided in this Act, every appropriation under the classification of A-1 Salaries for a designated position shall be paid in monthly or bi-weekly installments to the person holding such position, but where a group appropriation is made for Personal Service, such appropriation shall be expended as may be determined by the officer in charge of such appropriation. *Provided, Further,* That the appropriated salaries for specified positions shall mean the maximum compensation for such position, and in any case where the head of any department can secure the services for a particular position or work at a lower rate than the salary specified in this Act, authority for so doing is hereby given.

Provided, Further, That no full-time employee of any State department or institution shall be paid any compensation or travel from any other department of the State Government except with the approval of the State Budget and Control Board.

SECTION 79. That salaries paid to officers and employees of the State, including its several boards, commissions and institutions shall be in full for all services rendered, and no perquisites of office or of employment shall be allowed in addition thereto, but such perquisites, commodities, services or other benefits shall be charged for at the prevailing local value and without the purpose or effect of increas-

ing the compensation of said officer or employee; *Provided, However,* That this shall not apply to the Governor's Mansion, nor to guards at any of the State's penal institutions and nurses and attendants at the State Hospital, Whitten Village, and the S. C. Sanatorium, when the cash compensation of such employees is $3,800-.00 or less per year. *Provided, Further,* That the Presidents of the State's institutions of higher learning may be permitted to occupy a residence on the grounds of such institutions without charge. *Provided, Further,* That the Farm Director, Farm Managers and specialists employed at State Farms Nos. 1 and 3 may be permitted to occupy residences situated on such farms without charge.

Provided, Further, That all salaries paid by State institutions and departments for which a lump sum appropriation is made, and from all departmental appropriations for groups of employees, shall be submitted to and approved by the State Budget and Control Board before becoming effective; and in submitting said salaries for approval of the said Board, the total salary paid to each officer and employee, included in such lump sum or group appropriations, shall be shown; and in any institution or department where one or more salaries are supplemented, the amount of such supplement shall be reported to the said Board for approval, and the source of such supplement.

SECTION 80. Provided, that the authorities of all institutions and departments for which a lump sum operating appropriation is provided, shall, before the beginning of the fiscal year to which such appropriations are applicable, submit to the State Budget and Control Board for approval an itemized budget for the operation of such department or institution during the ensuing fiscal year, and shall report to the State Budget and Control Board at least quarterly any changes in such approved budget so as to reflect the actual detailed operating costs of such department or institution.

Provided, Further, That no part of such lump sum appropriations shall be used for permanent improvements unless specifically authorized herein.

SECTION 81. That except as otherwise hereinbefore provided the base pay of legislative clerks and attaches, designated in Section 3 of this Act shall apply to a session of forty legislative days, and that each Clerk and attache shall receive additional compensation for such service at the same rate for each legislative day in excess thereof, the

same to be paid from the approved accounts of the respective houses. *Provided, However,* That laborers and porters shall be paid for six days of each week of the entire session. *Provided, Further,* That all salaries under Items 5 and 6 shall apply to a period of six months between sessions of the General Assembly, and each Clerk and attache provided for therein shall be paid at the same rate from approved accounts of the respective houses for any period in excess thereof. *Provided, Further,* That no salaries shall be paid under these items during any period when the General Assembly is in regular or special session.

SECTION 82. That all employees of the State of South Carolina or any agency thereof while traveling on the business of the State, shall be allowed the sum of $10.00 per day as subsistence expenses. No expense shall be allowed an employee either at his place of residence or at the official headquarters of the agency by which he is employed, except that the members of the Public Service Commission may be reimbursed at the regular mileage rate for one round trip each week from their respective homes to Columbia and may receive the regular subsistence allowance of other State employees for not exceeding three days in any week while in Columbia on official business. When an employee is assigned to work a particular territory or district, and such territory or district and his official headquarters are in different localities, or sections of the State, expenses may be allowed for necessary travel to his official headquarters. *Provided,* That members of the State Boards, Commissions or Committees, whose duties are not full time, and who are paid on a per diem basis, shall be allowed subsistence expenses while away from their places of residence on official business of the State. *Provided, Further,* That employees of the State traveling outside of the State on official business, shall be allowed the sum of $12.50 per day as subsistence expenses, except that the Governor, Lieutenant Governor, State Treasurer, and Secretary of State shall be allowed actual expenses. *Provided, Further,* That each Circuit Judge while holding Court within or without the circuit in which he resides, and each Justice of the Supreme Court, while traveling upon official business of said Court, shall be allowed the sum of fifteen ($15.00) dollars per day as subsistence expenses, and each Justice and Judge shall further receive such mileage allowance for travel as is provided for other employees of the State. One member of the Supreme Court while attending the Conference of Chief Justices and one member

of the Supreme Court while attending the National Convention of Appellate Court Judges shall be allowed actual subsistence and travel expenses, and two Circuit Judges while attending the National Convention of State Trial Judges. *Provided, Further,* Whenever Agents, Auditors, Investigators, or other such employees of the State, are required in the performance of their regular audit or investigation duties to travel to cities of two hundred fifty (250,000) thousand, or greater, population, such employees shall be allowed the sum of $2.50 per day additional as subsistence expenses.

The State Budget and Control Board is authorized to promulgate and publish regulations governing the application of the above-provided rates of travel of State employees.

That when an employee of the State shall use his or her personal automobile in traveling on necessary offical business, a charge of 9 cents per mile will be allowed for the use of such automobile, and the employee shall bear the expense of supplies and upkeep thereof. When such travel is by a state-owned automobile, the State shall bear the expense of supplies and upkeep thereof, but no mileage will be allowed. *Provided,* That in traveling on the business of the State, employees are required to use the most economical mode of transportation, due consideration being given to urgency, schedules, and like factors.

Provided, Further, That no State-owned automobile shall be acquired by any agency of the State without prior approval of the State Budget and Control Board.

SECTION 83. That the Legislative members of State boards and commissions shall serve in their respective capacities as members of said boards and commissions until their successors shall have been elected or appointed, and qualified.

SECTION 84. That the per diem allowance of all boards, commissions and committees shall be at the rate of Ten ($10.00) Dollars per day. *Provided,* That no full-time officer or employee of the State shall draw any per diem allowance for service on such boards, commissions or committees.

SECTION 85. That if necessary the board of trustees of State institutions of higher learning may limit the admission of students upon the basis of scholarship standing, or upon any other basis determined upon by the respective boards. *Provided, Further,* That no State

scholarships shall be granted by State institutions of higher learning, namely: The University of South Carolina, The Citadel, Clemson University, and Winthrop College.

SECTION 86. Foreign citizens, friendly to the United States, who are beneficiaries of scholarships to any of the State's institutions of higher learning, which scholarships are provided for by the student body of such institution, or donation from private citizens of South Carolina, shall be allowed to pay tuition at the same rates as residents of the State.

SECTION 87. The Boards of Trustees of the University of South Carolina, The Citadel, Winthrop College, Clemson University, and S. C. State College, are hereby authorized to abate the tuition fee charged at these institutions to the extent of Fifty ($50.00) Dollars to the winner of the American Legion High School Oratorical Contest and to the Governor of Boys' State and to the highest ranking student in the State in the annual National Science Talent Search and to the Governor of Girls' State; and said abatements to be for four (4) years in each instance. As to the winner of the American Legion High School Oratorical Contest and the Governor of Boys' State, the abatement shall be granted only when the American Legion, Department of South Carolina, shall have contributed a like amount per year. The abatement of tuition herein provided is for the purpose of furnishing a scholarship of One Hundred ($100.00) Dollars per year to the winners of the above contests, the State of South Carolina and the American Legion, Department of South Carolina, cooperating on an equal basis in providing these scholarships.

SECTION 88. In addition to the powers and duties devolved upon the Budget and Control Board by the 1962 Code of Laws of this State, the said Board is hereby given full power and authority to make surveys, studies, and examinations of departments, institutions, and agencies of this State, as well as its problems, so as to determine whether there may be an overlapping in the performance of the duties of the several departments, institutions, and agencies of the State, that proper administrative and organizational economy is being observed, and for the purpose of determining whether a proper system of accounting is maintained in such departments, institutions, commissions, and agencies, and to require and enforce the adoption of such policies as are deemed necessary to accomplish these purposes; and to survey, appraise, examine and inspect, and

determine the true condition of all property of the State, and what may be necessary to protect it against fire hazard or deterioration, and to conserve its use for State purposes, and to make and issue and to enforce all necessary, needful, and convenient rules and regulations for the enforcement of this provision and to approve the destruction or disposal of records of no value to the State. *Provided, Further,* That the State Budget and Control Board may require that all plans and specifications for permanent improvements of any nature by any state department or institution shall be submitted to the said Board for approval prior to the awarding of any contract therefor, or prior to construction by any other means. *Provided, Further,* That the State Budget and Control Board shall have the authority to designate State officials and employees who should be bonded, and the amounts for which such bonds should be written, and to require the same to be done.

SECTION 89. Any maintenance appropriations made herein or by special act now or hereafter, are hereby declared to be maximum, conditional and proportionate, the purpose being to make them payable in full in the amount named herein, if necessary, but only in the event the aggregate revenues available during the period for which the appropriation is made are sufficient to pay them in full. The State Budget and Control Board shall have full power and authority to survey the progress of the collection of revenue and the expenditure of funds by all departments and institutions, and is hereby authorized and directed to make such reductions of appropriations as may be necessary to prevent a deficit; *Provided,* That no institution or activity for which the General Assembly has herein provided shall be discontinued. *Provided, Further,* That any reduction of appropriations by the said Board, under authority of this Act, shall be uniform, and shall apply to all appropriations provided in this Act, except any part of such appropriations which may be encumbered by a written contract with an agency not connected with the State Government; and *Provided, Further,* That in making such reductions earmarked revenues shall be considered as a part of the amounts appropriated. *Provided, Further,* That no such reduction shall be ordered by the State Budget and Control Board while the General Assembly is in session without first reporting such necessity to the General Assembly.

Provided, Further, That the State Budget and Control Board is hereby authorized to borrow such amounts of money as may be

necessary to pay appropriations made by the General Assembly, and to pledge for the payment of such loans any General Fund assets, including revenues of the next succeeding fiscal year.

Provided, Further, That the disbursement of all funds appropriated in this Act for educational purposes shall be in the discretion of the State Budget and Control Board.

Provided, Further, That the expenditure of funds, heretofore or hereafter provided, by any State Agency, except the State Highway Department, for permanent improvements as defined in the State Budget, shall be subject to approval and regulations of the State Budget and Control Board. The Board shall have authority to allot to specific projects from funds made available for such purposes, such amounts as are estimated to cover the respective costs of such projects, to declare the completion of any such project, and to dispose, according to law, of any unexpended balances of allotments, or appropriations, or funds otherwise provided for such projects, upon the completion thereof.

SECTION 90. That transfers of appropriations herein provided may be made within departments, upon the unanimous approval of the State Budget and Control Board, but no such transfer shall be permitted for the purpose of increasing the compensation of any State employee which is specifically fixed in this Act.

SECTION 91. That unless specifically authorized herein, the appropriations provided in this Act as ordinary operating expenses of the State Government shall lapse on August 31, 1966. *Provided,* That appropriations for permanent improvements, or for other specific purposes aside from ordinary operating expenses, now outstanding or hereafter provided, shall lapse at the end of the second fiscal year following the close of the fiscal year in which such appropriations were provided, unless definite commitments shall have been made, with the approval of the State Budget and Control Board, toward the accomplishment of the purposes for which the appropriations were provided.

SECTION 92. For the year 1965-66, the compensation of all employees of the State government shall be increased three percent, but not more than $300.00 for any employee. The calculation of this increase, and the $300.00 limitation, shall be based on the total compensation of each employee from all sources, including State appropriated

funds, federal and other funds, it being the intent of this section that increases shall be paid proportionately from each source. All appropriations in this Act for "Salary and Wage Adjustments" shall be available only for that portion of increases applicable to State appropriated sources, and shall be applied only by transfer to the respective salary accounts approved by the Budget and Control Board. *Provided,* however, that when conditions warrant, and upon prior approval of the State Budget and Control Board, additional increases may be made from sources other than these special funds. *Provided, Further,* That the provisions of this section shall not apply to the compensation of constitutional officers, justices and judges of the State courts, nor to any employee whose total compensation is $20,000.00 or more per year, nor shall the compensation of any employee be increased by the provisions of this section to more than $20,000.00 per year.

SECTION 93. Subsection (a). The Budget and Control Board through its Division of General Services is hereby directed to assess and collect a rental charge from all departments and agencies of the State Government occupying space in the Calhoun Building, the Wade Hampton Building, the building at 1001 Main Street, the building at 1015 Main Street, the new State Office Building at the corner of Senate and Bull Streets, the new office and laboratory building for the State Board of Health, and the building at 300 Gervais St., all in the City of Columbia. The amount charged each department or agency shall be calculated on a square foot, or other equitable basis of measurement, and at such rates as will yield sufficient total annual revenue to cover both (1) the annual principal and interest due on the $6,500,000.00 capital improvement obligation authorized in the 1964-65 General Appropriation Act and (2) maintenance and operation costs of the above mentioned buildings.

Subsection (b). All departments and agencies against which rental charges are assessed and whose operations are financed in whole or in part by Federal and/or other non-appropriated funds are directed to apportion the payment of such charges equitably among all such funds, so that each shall bear its proportionate share. All appropriations in this Act itemized for "State Office Building Rental" shall be available only for payment of that portion of rental charges applicable to appropriated operations.

Subsection (c). Rental collections shall be deposited by the General Services Division in the State Treasury in a special account and

shall be expended only for (1) payment of principal and interest due the Insurance Sinking Fund on the $6,500,000.00 capital improvement obligation and (2) maintenance and operation costs of the buildings listed in subsection (a) above.

End of Part I

PART II

Permanent Provisions

SECTION 1

Following sections to be permanent laws.

It is hereby declared to be the intent of the General Assembly that the following sections shall constitute a part of the permanent laws of the State of South Carolina, and the Code Commissioner is hereby directed to include same in the next edition of the Code of Laws of South Carolina and all supplements to the Code.

SECTION 2

Corporations to file declaration of estimated income tax—payment of.

(a) Article 8 of Chapter 5, Title 65, 1962 Code of Laws, is hereby amended by adding the following new Section:

"Section 65- Every corporation subject to taxation under Chapter 5, Title 65, of the 1962 Code of Laws, as amended, shall make a declaration of estimated tax for the taxable year.

1. For purposes of this Act, the term estimated tax means the amount which the corporation estimates as the amount of income tax imposed by Chapter 5, Title 65, of the 1962 Code of Laws, as amended, less the amount which the corporation estimates as the sum of credits allowed by law against such tax.

2. A corporation with a taxable year of less than twelve months shall make a declaration in accordance with the regulations prescribed by the South Carolina Tax Commission."

(b) Article 8 of Chapter 5, Title 65, 1962 Code of Laws, is hereby amended by adding the following new Section:

"Section 65- The declaration required by this Act shall be filed with the Commission on or before the 15th day of the third month following the beginning of the taxable year. A taxpayer may amend a declaration of estimated tax on the 15th day of the sixth, ninth or thirteenth month and if such amended declaration is filed, the balance

of the tax due shall be paid in installments proportionately adjusted. At the election of the corporation any installment of the estimated tax may be paid before the date prescribed for its payment."

(c) Article 8 of Chapter 5, Title 65, 1962 Code of Laws, is hereby amended by adding the following new Section:

"Section 65-.... The amount of estimated tax as defined in Section 2(a) of Part II, Permanent Provisions of this Act with respect to which a declaration is required under Section 2(a) of Part II, Permanent Provisions shall be paid as follows:

(1) For the State's fiscal year 1965-66 twenty-five (25%) per cent of the estimated tax shown to be due by the declaration shall be paid at the time the declaration is filed.

(2) For the State's fiscal year 1966-67 fifty (50%) per cent of the estimated tax shown to be due by the declaration shall be paid at the time the declaration is filed or may be paid in two (2) equal installments. The first installment to be paid at the time of filing the declaration, the second installment on the 15th day of the sixth month after the beginning of the taxable year.

(3) For the State's fiscal year 1967-68 seventy-five (75%) per cent of the estimated tax shown to be due by the declaration shall be paid at the time the declaration is filed or may be paid in three equal installments. The first installment to be paid at the time of filing the declaration, the second installment on the 15th day of the sixth month after the beginning of the taxable year, the third installment on the 15th day of the ninth month after the beginning of the taxable year.

(4) For the State's fiscal year 1968-69 and all subsequent years the estimated tax shown to be due by the declaration shall be paid at the time the declaration is filed or may be paid in four equal installments. The first installment to be paid at the time of filing the declaration, the second installment on the 15th day of the sixth month after the beginning of the taxable year, the third installment on the 15th day of the ninth month after the beginning of the taxable year and the fourth installment on the 15th day of the thirteenth month after the beginning of the taxable year.

(5) No interest shall be charged for the payment of installments of estimated tax herein provided for.

(d) Article 8 of Chapter 5, Title 65, 1962 Code of Laws, is hereby amended by adding the following new Section:

"Section 65-.... Payment of the estimated income tax required by this Act or any installment thereof shall be considered payment on

account of the income taxes imposed by Chapter 5, Title 65, 1962 Code of Laws, as amended, for the taxable year. No payment of estimated income tax is required other than as specified by Section 3 of this Act."

(e) Sections 65-341 and 65-352, as amended, of the 1962 Code of Laws, are hereby repealed.

Section 65-353, as amended, of the 1962 Code of Laws, is hereby amended by striking out all of said Section and inserting in lieu thereof the following:

"Section 65-353. The Tax Commission, with the approval of the Budget and Control Board, is authorized to expend from the revenue collected under the provisions of Chapter 5 of the Code of Laws for 1962, as amended, such additional money as is necessary to the adequate administration and enforcement of this Section."

(f) This section shall take effect upon all corporations whose taxable periods end on or after July 1, 1965.

SECTION 3

Amount of General Fund Reserve.

Effective with the fiscal year 1965-66, Sections 1-781 and 1-782, Code of Laws of South Carolina, 1962, are hereby amended by striking out both of the said sections in their entirety and substituting therefor the following:

"1-781. Establishment and maximum amount.—There shall be established and maintained a fund which shall hereafter be carried in a special account in the State Treasury, and which shall be known and designated as "The General Fund Reserve." The maximum amount of the reserve shall be one million dollars.

"1-782. Transfer of excess revenues to maintain reserve.—On or before September 30 of each year the State Budget and Control Board shall determine the amount by which the State's revenues, applicable thereto, exceeded the sum of (a) actual expenditures for normal maintenance and operation of the State government for the fiscal year immediately preceding, including expenditures to political subdivisions of the State based on established percentages of revenues, but not including expenditures for highway purposes, and (b) unexpended balances of continuing appropriations made during the fiscal year immediately preceding. From such excess revenues so determined, if any, there

shall be transferred to the general fund reserve an amount sufficient to bring it to the sum of one million dollars, but not in excess thereof."

SECTION 4

Retirement pay of justices, judges and their widows.

Section 61-256, Code of Laws of South Carolina, 1962, is hereby amended by striking out the said section in its entirety and substituting therefor the following:

"61-256. Retirement pay of justices, judges and their widows.—A Chief Justice or any justice or judge, resigning or retiring under the provisions of this chapter or who has heretofore resigned or retired, shall receive each year for the balance of his life a sum equal to two-thirds of the current active salary for the respective positions, and the State Treasurer shall pay out of the funds in the State Treasury, on the warrant of the official authorized to approve payments of warrants for the salaries of the justices or judges, the amount provided herein. Upon the death hereafter of any active or retired Chief Justice, justice or judge who shall have elected to come within the retirement provisions, his widow shall receive annually, so long as she shall live and remain unmarried, a sum of money equal to one-third of the annual retirement pay provided for a Chief Justice, justice or judge, the same to be paid in monthly installments, and the State Treasurer shall pay to such widow out of the funds in the State Treasury, on the warrant of the official authorized to approve payments of warrants for the salaries of the Chief Justice, justices or judges, the amount provided herein."

SECTION 5

Fund for purchase of supplies by Budget and Control Board.

Section 1-543, Code of Laws of South Carolina, 1962, is hereby amended by striking the said section and inserting in lieu thereof the following:

"Section 1-543. From the accumulated unexpended balances of the revolving fund heretofore appropriated for the purchase of office supplies by the State Budget and Control Board the sum of twenty thousand dollars shall be maintained by the State Treasurer as a permanent and continuing revolving fund for the purchase of office supplies or such other commodities as the

General Assembly may hereafter direct, to be administered by the Board. Should the fund exceed twenty thousand dollars at the end of any fiscal year the surplus shall be transferred to the General Fund of the State."

SECTION 6

Revenues from Economic Poison Law earmarked for State Crop Pest Commission.

Notwithstanding any provision to the contrary contained in Title 3, Chapter 2, Article 4, Code of Laws of South Carolina, 1962, relating to the administration of the South Carolina Economic Poison Law, all fees or other revenue derived from the enforcement of the said law are hereby earmarked for use of the State Crop Pest Commission of Clemson University to defray in whole, or in part, the cost of the enforcement of the said law.

SECTION 7

Payment of certain bonds of Mental Health Commission and Whitten Village prior to maturity.

Section 15 of Act No. 1100, Acts and Joint Resolutions of South Carolina 1964, is hereby amended by adding the following at the end thereof:

"If at any time the accumulation of fees of paying patients in the Special Fund provided for herein shall exceed the amount required for principal and interest payments on bonds and notes, the Commission or Trustees may, with the approval of the Budget and Control Board, apply such excess, or any part thereof, to the redemption of bonds or notes prior to their stated maturities, if permitted by the terms under which the bonds or notes were issued."

SECTION 8

Retirement contributions of judges or justices not to be refunded.

Section 61-254, Code of Laws of South Carolina, 1962, as amended, is further amended by striking out the last sentence as follows: "Should a member cease to be a judge or justice, as herein provided, except by death or retirement, he shall be refunded his total contributions without interest."

SECTION 9

Amount of General Fund Reserve repealed.

Section 7 of Part II of Act 829, Acts and Joint Resolutions of 1964, is hereby repealed.

SECTION 10

Free college tuition for children of veterans killed in Korean conflict.

Section 22-56, Code of Laws of South Carolina, 1962, is amended by adding the following at the end thereof:

"The benefits provided herein are extended to the children of those who were legal residents of South Carolina and while in the military service of the United States were killed in action or died from other causes during the duration of actual hostilities in the Korean conflict between the dates June 25, 1950, to July 27, 1953."

End of Part II

All Acts or parts of Acts inconsistent with any of the provisions of Part I of this Act are hereby suspended for the fiscal year 1965-66. All Acts or parts of Acts inconsistent with any of the provisions of Part II of this Act are hereby repealed.

This act shall take effect immediately upon its approval by the Governor.

Approved the 6th day of May, 1965.

(R352, H1507)

No. 248

An Act To Amend Act No. 76 Of 1961 Relating To The Belton-Honea Path Water Authority In Anderson County, so As To Prescribe The Method Of Filling Vacancies In The Membership Of The Authority And To Further Prescribe Its Powers And To Repeal Act No. 321 Of 1961 Relating To Patrons And Holding Elections For Members Of The Belton-Honea Path Water Authority.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 4 of Act 76 of 1961 amended—members—appointments — terms — vacancies — officers — compensation. —Section 4 of Act No. 76 of 1961 is amended to read as follows:

"Section 4. The Authority shall consist of a board of five members, none of whom shall be officers of either Belton or Honea Path, and who shall be appointed by the Governor upon recommendations made in the following manner: two persons who are registered electors of the service area shall be recommended for office in the Authority by the City Council of Belton and two persons who are registered electors of the service area shall be recommended by the City Council of Honea Path; a fifth member shall be recommended by a majority of the other four members so recommended. In the event that the four members first named shall be unable to agree upon a fifth member, the two recommended by Belton shall select a registered elector living within the service area, and the two recommended by Honea Path shall select a registered elector living within the service area. Thereupon lots shall be cast to determine the name of the person to be recommended to the Governor as the fifth member of the Authority. Immediately following the appointment of the five members of the Authority they shall meet and organize by electing one of their members as chairman, a second as vice-chairman, and a third as secretary. The terms of office of the chairman, vice-chairman and secretary shall be for one year, provided that the term of the initial officers shall expire on June 30, 1963. In order that the office of chairman shall be rotated, no chairman shall immediately succeed himself, and not less than one full year shall expire before one, who has held the office of chairman, shall again become chairman.

Following their organization, four of the members shall determine by lot the duration of the initial terms which they shall hold. Two members of the Authority shall hold office until June 30, 1963, one of whom was recommended by the City Council of Belton and the other one being recommended by the City Council of Honea Path; two shall hold office until June 30, 1965, one of whom was recommended by the City Council of Belton and the other one being recommended by the City Council of Honea Path; and the fifth shall hold office until June 30, 1967, this member being the member recommended by a majority of the other four members.

Immediately following the organization, the secretary so chosen shall certify to the Secretary of State the terms which have been allotted the five initial members of the Authority, and the Secretary of State shall enter such certificate upon his records and appropriate commissions shall thereupon be issued by the Governor and the Secretary of State.

Upon the expiration or vacancy of the term of office of any member of the Authority, a successor shall be recommended by the City Council of either Belton or Honea Path, who recommended the member of the Authority whose term is expiring, and who shall be appointed by the Governor. The term of office of the successor of the fifth member shall be filled in the same manner as provided for in this section in appointing the original fifth member. The successors of the members whose terms shall expire in 1963 and 1965 shall be appointed for terms of six years. The successor of the member whose term shall expire in 1967 shall be appointed for a term of six years. *Provided,* that one member being elected in 1963 and one member being appointed in 1965 shall come from the area known as the Belton area and the other member being elected in 1963 and the other member being appointed in 1965 shall come from the area known as the Honea Path area. *Provided,* further, that the member being appointed in 1967 and whose term runs for a period of six years shall be appointed from the area at large.

For the purpose of dividing the water district into areas known as the Belton area and Honea Path area, a straight line shall be extended beginning at a point on the Saluda River, the point being midway between the northern and southern boundary of the water district and extending in a southwesterly direction bisecting the overhead bridge located on the highway known as both U. S. 178 and U. S. 76 between Belton and Honea Path and extending to and ending at the western boundary of the water district.

Each member of the Authority shall receive five dollars per meeting not to exceed one meeting per month and not to exceed sixty dollars per year.

Notwithstanding the expiration of the term of office of any member of the Authority he shall continue to serve until his successor shall have been elected, appointed and qualified, but any delay in appointing a successor shall not extend the term of such successor."

SECTION 2. Section 6 of Act 76 of 1961 amended—public entities may purchase water from Authority.—Section 6 of Act 76 of 1961 is amended by adding a new subsection to read as follows:

"(24) The municipalities of Belton and Honea Path and all public bodies and public agencies now or hereafter operating water distribution systems in Anderson County shall be fully empowered to enter into contracts to buy water from the Authority. Such contracts

shall extend over such period of time and shall contain such terms and conditions as shall be mutually agreeable to the Authority and to the contracting municipality, public body or public agency."

SECTION 3. Act 321 of 1961 repealed.—Act No. 321 of 1961 is repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 5th day of May, 1965.

(R354, H1531) **No. 249**

An Act To Amend The Code Of Laws Of South Carolina, 1962, By Adding Section 23-342.4, So As To Extend The Time That The Polls Shall Be Open In Oconee County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 23-242.4 added—when polls to be open in Oconee County.—The Code of Laws of South Carolina, 1962, is amended by adding Section 23-342.4 which shall read as follows:

"Section 23-342.4. In Oconee County the polls shall be opened at seven A. M. and closed at seven P. M.".

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 5th day of May, 1965.

(R355, H1537) **No. 250**

An Act To Authorize The Clerk Of Court Of Chesterfield County To Remove Or Destroy Certain Chattel Mortgages.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chesterfield County may destroy old chattel mortgages.—The Clerk of Court of Chesterfield County is authorized and directed to remove from the active shelves of his office, and store or destroy all chattel mortgage records ten years of age or over, which do not involve any real estate transactions.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 5th day of May, 1965.

(R357, H1566) **No. 251**

An Act To Amend Section 1-58, Code Of Laws Of South Carolina, 1962, Relating To Certain Counties Exempt From The Provisions Of Section 1-57 Of The 1962 Code, So As To Delete Hampton County; And To Validate The Use Of Certain Loose Leaf Record Books In Hampton County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 1-58 amended—Section 1-57 not applicable to certain counties—Section 1-58, Code of Laws of South Carolina, 1962, is amended by striking "Hampton," so that when amended the section shall read as follows:

"Section 1-58. The provisions of Section 1-57 shall not apply to Florence, Jasper and Lancaster Counties."

SECTION 2. Use of loose leaf record books in Hampton County validated.—The use of loose leaf record books now currently and heretofore in use in Hampton County in accordance with the provisions of Section 1-57 of the Code of 1962 are hereby validated as proper official records.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 5th day of of May, 1965.

(R361, H1611) **No. 252**

An Act To Amend An Act Of 1965 Bearing Ratification No. 258, Relating To The Sumter County Economic Opportunity Commission, So As To Increase The Membership Of The Commission.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 3 of Act 183 of 1965 amended—members.—Section 3 of an Act of 1965 bearing Ratification No. 258 is amend-

ed on line one by striking the word "five" and inserting "eleven". The section when amended shall read as follows:

"Section 3. The commission shall be composed of eleven members who shall be appointed by the Governor upon the recommendation of the legislative delegation. The members of the commission shall serve without compensation."

SECTION 2. Section 4 of Act 183 of 1965 amended—terms and vacancies.—Section 4 of an Act of 1965 bearing Ratification No. 258 is amended on line six by striking the word "two" and inserting "five". The section when amended shall read as follows:

"Section 4. The terms of office of the members of the commission shall be for two years and until their successors are appointed and qualify. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor. Of the initial appointees, five shall serve for one year."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 5th day of May, 1965.

(R362, S90)

No. 253

An Act To Amend Section 46-186, Code Of Laws Of South Carolina, 1962, Providing For The Restoration Of Suspended Drivers' Licenses, So As To Provide Special Requirements For The Restoration Of Licenses Suspended For Certain Violations.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 46-186 amended—when suspended licenses may be returned.—Section 46-186, Code of Laws of South Carolina, 1962, is amended by striking on lines two and three the following: ", except that at the end of the period of suspension" and inserting in lieu thereof the following: ". At the end of the period of suspension, other than suspension for reckless driving, driving under the influence of intoxicants or pursuant to the point system" and by inserting between the words "him." and "A" on line five the following: "The Department shall not return nor restore a license which has been suspended for reckless driving, driving under the influence of

intoxicants, or for violations under the point system until the person has filed an application for a new license, submitted to an examination as upon an original application, and has satisfied the Department, after an investigation of the character, habits, and driving ability of the person, that it would be safe to grant him the privilege of driving a motor vehicle on the public highways." The section when amended shall read as follows:

"Section 46-186. The Department upon suspending or revoking a license shall require that such license shall be surrendered to the Department. At the end of the period of suspension, other than suspension for reckless driving, driving under the influence of intoxicants or pursuant to the point system such license so surrendered shall be returned to the licensee, or in the discretion of the Department, a new license issued to him. The Department shall not return nor restore a license which has been suspended for reckless driving, driving under the influence of intoxicants, or for violations under the point system until the person has filed an application for a new license, submitted to an examination as upon an original application, and has satisfied the Department, after an investigation of the character, habits, and driving ability of the person, that it would be safe to grant him the privilege of driving a motor vehicle on the public highways. *Provided,* that the Highway Department, in its discretion, where the suspension is for violation under the point system may waive such examination, application, and investigation. A record of suspension shall be endorsed on the license returned to the licensee, or the new license issued to the licensee, showing grounds of such suspension. After five years from the date of conviction or suspension the driver may apply for a new identical license, and the Department shall issue such identical license without any notation of suspension endorsed thereon. But this provision shall not affect nor bar the reckoning of prior offenses for reckless driving and driving under the influence of intoxicating liquor or narcotic drugs, as provided in article 5 of chapter 7 of this Title."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 6th day of May, 1965.

(R363, S133)

No. 254

An Act To Amend Section 65-1647, Code Of Laws Of South Carolina, 1962, As Amended, Which Indicates What Property Returns Required By Section 65-1644 Shall Show, So As To Eliminate Certain Specific Requirements.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 65-1647 amended—what property returns to contain.—Section 65-1647, Code of Laws of South Carolina, 1962, as amended, is further amended by striking out the section in its entirety and inserting in lieu thereof the following:

"Section 65-1647. The annual property returns required by Section 65-1644, Code of Laws of South Carolina, 1962, shall be made in the manner prescribed by Section 65-1641, Code of Laws of South Carolina, 1962, and shall contain a list of all taxable property as required by law."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 6th day of May, 1965.

(R364, S282)

No. 255

An Act To Amend Section 65-1527, Code Of Laws Of South Carolina, 1962, So As To Make The Section Applicable For Buildings and Additions To Textile Hall Corporation In Greenville County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 65-1527 amended—section to apply to Textile Hall Corporation in Greenville County.—Section 65-1527, Code of Laws of South Carolina, 1962, is amended by adding at the end thereof the following: "In Greenville County the provisions of this section shall be applicable to buildings and additions for Textile Hall Corporation."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 6th day of May, 1965.

(R366, S289) **No. 256**

An Act To Prohibit Public Utilities And Rural Electric Cooperatives From Making Connections To Certain Mobile Homes In Williamsburg County, And To Provide Penalties For Violations.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Mobile homes in Williamsburg County not to be furnished electricity unless licensed.—In Williamsburg County it shall be unlawful for any public utility or rural electric cooperative distributing electrical energy to make a connection to any mobile home unless the home is licensed by the State Highway Department or has obtained a license from the governing body of the county.

SECTION 2. Penalties.—Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and be subject to a fine of not more than one hundred dollars.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 6th day of May, 1965.

(R367, H1146) **No. 257**

An Act To Amend Section 47-671.1, Code Of Laws Of South Carolina, 1962, Relating To The Salaries Of The Mayor And Councilmen Of The City Of Sumter, So As To Provide For The Increase Of Such Salaries.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 47-671.1 amended—salary of mayor and councilmen for City of Sumter.—Section 47-671.1, Code of Laws of South Carolina, 1962, is amended by striking it out and inserting in lieu thereof the following:

"Section 47-671.1. The salary of the mayor of the city of Sumter shall not exceed three thousand six hundred dollars per year, and the salary of each councilman shall not exceed the sum of one thousand eight hundred dollars per year. The salary of the mayor or councilmen may not be increased during the terms they are serving."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 6th day of May, 1965.

(R368, H1276) **No. 258**

An Act To Amend Section 47-253, Code Of Laws Of South Carolina, 1962, Relating To Penalty, Lien And Other Methods Of Collecting Taxes In Municipalities, So As To Change The Period Of Time Over Which A Lien May Be Extended From "Three" To "Ten" Years In Municipalities Containing More Than Five Thousand Inhabitants.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 47-253 amended—penalty for non-payment of taxes—to constitute lien.—Section 47-253, Code of Laws of South Carolina, 1962, is amended by striking the word "three" on the next to last line and inserting in lieu the word "ten" so that when amended the section shall read as follows:

"Section 47-253. Any such council may provide for the payment of a penalty not exceeding fifteen per cent of the taxes so levied for non-payment of such taxes when due, payable when the taxes become delinquent. The taxes so levied and also such penalties shall constitute a lien upon the property upon which the tax is levied until paid, paramount to all other liens except the lien for county and State taxes. For the purpose of collecting such taxes and penalties the council may enforce payment against the property of defaulters to the same extent, and substantially in the same manner, as is provided by law for the collection of State and county taxes and penalties, except that executions to enforce the payment of such taxes and penalties shall be issued under the seal of the corporation by the clerk thereof and directed to the chief of police or any other officer designated by the city or town council for that purpose and except, further, that all sales under and by virtue of any such execution shall take place in front of the city or town hall or other public place designated by ordinance in such city or town.

No city containing more than five thousand inhabitants may by ordinance extend the lien herein provided for a longer term than ten years after the tax shall have become due and payable."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 6th day of May, 1965.

(R369, H1342) **No. 259**

An Act To Repeal Section 8-611, Code Of Laws Of South Carolina, 1962, Relating To License Fees Of Certain Foreign Building And Loan Associations.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 8-611 repealed.—Section 8-611, Code of Laws of South Carolina, 1962, is repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 6th day of May, 1965.

(R370, H1441) **No. 260**

An Act To Amend Section 23-342 Of The 1962 Code, Relating To The Hours Polls Shall Remain Open, So As To Change The Closing Hour From Six To Seven O'clock And To Repeal Sections 23-342.1 And 23-342.3 Of The 1962 Code, Relating To The Time The Polls Shall Close In Aiken County And In Municipal Elections In The City Of Union.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 23-342 amended—hours polls to be open.—Section 23-342 of the Code of 1962 is amended by striking out the word "six" on line two and inserting in lieu thereof the word "seven". The section when amended shall read as follows:

"Section 23-342. The polls shall be opened at eight o'clock in the forenoon and close at seven o'clock in the afternoon of the day of election and shall be held open during these hours without intermission or adjournment; but the county committee may close any

poll or all polls within any county in any primary election at an earlier hour."

SECTION 2. Sections 23-342.1 and 23-342.3 repealed.—Sections 23-341.1 and 23-342.3 of the 1962 Code are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 6th day of May, 1965.

(R372, S24) **No. 261**

An Act To Add Section 14-101.1 To The Code Of Laws Of South Carolina, 1962, To Provide For Elections In Any County To Which An Area Is Proposed To Be Annexed Under Certain Conditions.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 14-101.1 added—petition for annexation election.—There is added to the Code of Laws of South Carolina, 1962, the following section:

"Section 14-101.1. Whenever a petition is filed as provided in Section 14-101 if fifteen per cent of the qualified electors within the county to which an area is proposed to be annexed sign and file a petition with the Governor requesting an election, the election required by law shall also be held within such county. The petition requesting an election within the county must be filed at least twenty days before the ordered election within the area proposed to be cut off. Should a majority of the electors of such county and territory voting in the election vote in favor of the admission of the new territory, the county boundaries shall be changed at the next session of the General Assembly in conformance with the elections. Should a majority of such electors vote against the inclusion of the area the county boundaries shall not be changed."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of May, 1965.

(R373, S71)

No. 262

An Act To Provide For The Purchase Of Equipment For Court Reporters, Further Prescribing Their Duties, And Providing For The Keeping Of Permanent Records Of Litigated Proceedings.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. System of court reporting to be standardized.—The system of court reporting of the circuit courts of the State, including those county courts having criminal jurisdiction shall be standardized and records of litigation and criminal proceedings in these courts shall be retained permanently.

SECTION 2. Duties of official reporters.—The official reporter of each judicial circuit or county court having criminal jurisdiction shall be charged with full responsibility for compiling, indexing, filing and safely keeping the records permanently. The reporter may record the proceedings onto discs or belts of a type which will preserve the record permanently, with discs or belts being filed as the permanent record of proceedings or by direct electronic recordings supplemented by either shorthand or stenotype.

SECTION 3. Purchase of equipment.—The equipment shall be purchased through the State Purchasing Agency upon requisition of the reporter and approved by the clerk of the supreme court.

SECTION 4. Report.—Each reporter shall file with the resident judge of his circuit on or before the fifteenth day of January of each year a certificate certifying his compliance with the terms of this act, and a copy shall be filed with the clerk of the Supreme Court.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of May, 1965.

(R374, S136)

No. 263

An Act To Make It Unlawful To Wilfully Or Maliciously Damage Or Break Into Certain Telephone Property And To Provide A Penalty.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Unlawful to damage telephone property.—It shall be unlawful for any person to wilfully or maliciously displace, remove, injure or destroy any public telephone instrument, or any part thereof, or any radio or microwave installation, or to wilfully or maliciously break into any public telephone or coin box associated therewith.

SECTION 2. Penalties.—Any person violating any of the provisions of this act shall, upon conviction, be punished as follows:

(a) For a first offense, by a fine of not less than two hundred dollars, or imprisonment for not less than sixty days, or both in the discretion of the court.

(b) For a second or subsequent offense, by a fine of not less than one thousand dollars or imprisonment for not less than one year or both in the discretion of the court.

SECTION 3. Safecracking or burglary to constitute prior offense.—A conviction or a plea of guilty for the offense of safecracking or burglary, under the laws of this State, or of any other state or of the United States, shall constitute a prior offense for the purpose of any prosecution, or for the purpose of imposition of sentence for any subsequent violation of this act.

SECTION 4. Penalties further.—If an adult in the commission of an offense prohibited by this act, shall be aided or abetted by a person less than eighteen years of age, or if in the commission of such an offense, explosives or firearms are used, a minimum period of imprisonment of not less than three years shall be imposed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of May, 1965.

(R376, S299) **No. 264**

An Act To Amend Section 47-165, Code Of Laws Of South Carolina, 1962, Relating To Tax Millage In The Town Of Jefferson In Chesterfield County, So As To Increase The Amount.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 47-165 amended—Town of Jefferson may levy an annual tax.—Section 47-165, Code of Laws of South Caro-

lina, 1962, is amended by striking the word "sixty" on the last line and inserting in lieu thereof the word "seventy" so that when amended the section shall read as follows:

"Section 47-165. Notwithstanding the provisions of Section 47-161, the town of Jefferson in Chesterfield County may levy and collect an annual tax on all real and personal property within the limits of the town, not to exceed seventy mills."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of May, 1965.

(R377, S115)

No. 265

An Act To Prohibit The Sale, Distribution, Preparation, Publication, Printing And Exhibiting Of Obscene Matter; To Provide For A Prima Facie Defense; And To Provide Penalties Therefor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Definitions.—For the purposes of this act:

(a) Obscene means that to the average person, applying contemporary standards, the predominant appeal of the matter, taken as a whole, is to prurient interest among which is a shameful or morbid interest in nudity, sex or excretion, and which goes substantially beyond customary limits of candor in description or representation of such matters. If it appears from the character of the material or the circumstances of its dissemination that the subject matter is designed for a specially susceptible audience, predominant appeal shall be judged with reference to such audience. If the subject matter is distributed to minors under sixteen years of age, predominant appeal shall be judged with reference to such class of minors.

(b) Matter means any book, magazine, newspaper or other printed or written material or any picture, drawing, photograph, motion picture or other pictorial representation or any statue or other figure, or any recording, transcription or mechanical, chemical or electrical reproduction or any other article, equipment, machine or material.

(c) Distribute means to transfer possession of, whether with or without consideration.

(d) Retail distributor means any person, partnership, corporation or other business entity or any agent thereof licensed by the South Carolina Tax Commission to sell at retail pursuant to Chapter 17 of Title 65, Code of Laws of South Carolina, 1962.

SECTION 2. Unlawful to sell or distribute obscene matter.—It shall be unlawful for any person knowingly to send or cause to be sent, or to bring or cause to be brought into South Carolina for sale or distribution, or to prepare, publish, print, exhibit, distribute, or to offer to distribute in the State, or to have in his possession with intent to distribute, or to exhibit or to offer to distribute, any obscene matter.

SECTION 3. Unlawful to distribute obscene matter to minors.—It shall be unlawful for any person who, with knowledge that a person is a minor under sixteen years of age, or who, while in possession of such facts that he should reasonably know that such person is a minor under sixteen years of age, knowingly to send or cause to be sent, exhibit, distribute, or offer to distribute any obscene matter to such minor.

SECTION 4. Unlawful to hire minors for certain work.—It shall be unlawful for any person who, with knowledge that a person is a minor under sixteen years of age, or who, while in possession of such facts that he should reasonably know that such person is a minor under sixteen years of age, to hire, employ, or to use such minor to do or assist in doing any of the acts prohibited by this act.

SECTION 5. Obscene advertising unlawful.—It shall be unlawful for any person to write or to create obscene advertising or to solicit anyone to publish such advertising or otherwise to promote the sale or distribution of such matter.

SECTION 6. Purchases of consignments conditioned upon receipt of obscene matter unlawful.—It shall be unlawful for any person knowingly to require as a condition to a sale, allocation, consignment or delivery for resale of any paper, magazine, book, periodical, publication or other merchandise, that the purchaser or consignee receive any obscene matter or to deny or threaten to deny any franchise, to revoke or to threaten to revoke, or to impose any penalty, financial or otherwise, because of the failure of any person to accept obscene matter, or by reason of the return of such obscene matter.

SECTION 7. Notice to be given retailers accused of violating act.—No warrant may be issued against any retail distributor accused of violating any provision of this act unless he has been given at least forty-eight hours written notice signed by the accuser. The notice shall specify each particular matter or activity claimed to be in violation of this act. If such distributor, within forty-eight hours of receipt of such notice, removes the offending matter or ceases each activity of which he is accused such facts shall be prima facie evidence that his acts were not intentionally or knowingly done within the meaning of this act.

SECTION 8. Penalties.—Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction shall be fined not more than one hundred dollars or be imprisoned not more than thirty days. For a second and each subsequent conviction the offender shall be fined not more than two hundred dollars or be imprisoned for not more than sixty days or both in the discretion of the court.

SECTION 9. Certain motion pictures exempt.—The provisions of this act shall not apply to motion pictures that carry the Motion Picture Association of America's Code Seal of approval.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of May, 1965.

(R378, S211) **No. 266**

An Act To Amend Section 32-766, Code Of Laws Of South Carolina, 1962, As Amended, Relating To The State Hospital Construction Act, So As To Further Provide For The Appointment Of Members Of The Advisory Hospital Council.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 32-766 amended—advisory hospital council to be appointed.—Section 32-766, Code of Laws of South Carolina, 1962, as amended, is further amended by striking it out and inserting in lieu thereof the following:

"Section 32-766. The Governor shall appoint an advisory hospital council to advise and consult with the Board and its legal repre-

sentatives in carrying out the administration of this article. The council shall consist of thirty members as follows: three hospital administrators to be recommended by the South Carolina Hospital Association, three physicians to be recommended by the South Carolina Medical Association, one member to be recommended by the South Carolina Department of Public Welfare, one dentist to be recommended by the South Carolina Dental Association, one registered pharmacist to be recommended by the South Carolina Pharmaceutical Association, one member to be recommended by the South Carolina Department of Mental Health, one member to be recommended by the Governing Board of Whitten Village, one member to be recommended by the Governing Board of the South Carolina Retarded Children's Habilitation Center, one member to be recommended by the South Carolina State Board of Education, one member to be recommended by the South Carolina Nurses' Association, one member to be recommended by the South Carolina Chapter of American Institute of Architects, and fifteen representatives of the consumers of hospital services selected from among persons familiar with the need for services in urban or rural areas whose interest in the operation, construction or utilization of hospitals and other health facilities is derived from factors other than those related to his profession or business, economic gain or legal responsibilities. The terms of the members shall be for four years and until their successors are appointed and qualify, except that of the original appointees seven shall serve for one year, eight shall serve for two years, seven shall serve for three years, and eight shall serve for four years. All vacancies shall be filled in the manner of the original appointment for the unexpired portion of the term only."

SECTION 2. Existing council dissolved.—The existing advisory hospital council as appointed under Section 32-766, Code of Laws of South Carolina, 1962, as amended by Act No. 898 of 1964, is hereby dissolved. Nothing in this act shall be construed as prohibiting former members of the advisory hospital council from being reappointed to serve on the advisory hospital council as described in this act.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of May, 1965.

(R379, S243) **No. 267**

An Act To Exempt Pleasure Watercraft In Charleston County From Taxes For A Period Of One Year.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Tax exemption for pleasure watercraft in Charleston County.—In Charleston County all pleasure watercraft shall be exempt from county, school and municipal taxes for a period of one year from the effective date of this act.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of May, 1965.

(R380, S297) **No. 268**

An Act To Amend Section 21-3962, Code Of Laws Of South Carolina, 1962, Relating To The Budget And Referendum Concerning School District No. 1 Of Saluda County, So As To Reduce The Time For Advertising.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 21-3962 amended—budget and tax levy for School District 1 of Saluda County—tax not to be increased without referendum.—Section 21-3962, Code of Laws of South Carolina, 1962, is amended by striking the word "three" on line nine and inserting the word "two". The section, when amended, shall read as follows:

"Section 21-3962. The Board of Trustees of School District No. 1 of Saluda County shall annually prepare a budget and recommend to the county auditor the amount of tax levy necessary to defray the cost of such budget. The board shall not recommend any tax levy increase without first submitting the question to the people at a referendum and obtaining the approval of the people prior to such a levy. Such referendum shall be ordered by the board of trustees, and notice thereof given by publication in every newspaper published in the county at least once a week for two consecutive weeks prior thereto. The notice shall give the date of the referendum, the question to be voted upon, and any other information which the board

deems advisable. After the increase has been approved by a majority of the voters in the referendum, such increase shall be levied and collected by the auditor and treasurer respectively."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of May, 1965.

(R381, H1044) **No. 269**

An Act To Amend Section 65-951, Code of Laws Of South Carolina, 1962, Relating To Taxes On Oleomargarine, So As To Exclude Oleomargarine Made With Animal, Vegetable Fats Or Oils Produced Or Grown In The United States.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 65-951 amended—tax on oleomargarine.—Section 65-951, Code of Laws of South Carolina, 1962, is amended by striking the word "or" on line six and by changing the period at the end thereof to a comma and adding "or any other animal, vegetable fat or oil produced or grown in the United States of America." The section, when amended, shall read as follows:

"Section 65-951. There is imposed an excise tax of ten cents per pound on all oleomargarine sold, offered or exposed for sale or exchanged in the State containing any fat or oil ingredient other than the following: Oleo oil from cattle, oleo stock from cattle, oleo stearine from cattle, neutral lard from hogs, peanut oil, corn oil, cottonseed oil, soya bean oil, milk fat, or any other animal, vegetable fat or oil produced or grown in the United States of America."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of May, 1965.

(R382, H1304) **No. 270**

An Act To Provide For The Forfeiture Of Vehicles, Boats, Motors And Other Equipment Used In Connection With The Taking Of Game Fish Caught With Nets In Violation Of Section 28-1215.1, Code Of Laws Of South Carolina, 1962.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Equipment used to catch certain fish to be forfeited.—Every vehicle, boat, motor, animal, fishing tackle or other equipment used in the taking of game fish in violation of Section 28-1215.1 is hereby declared forfeited to the State and shall be confiscated by any police officer who shall immediately deliver it to the Director of the Division of Game or his agent.

Any item declared forfeited under the provisions of this act shall be sold as is provided for in Section 28-458.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of May, 1965.

(R383, H1316) **No. 271**

An Act Creating The Coastal Empire Mental Health Board And Providing For Its Membership.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Coastal Empire Mental Health Board created.—There is hereby created the Coastal Empire Mental Health Board which shall be composed of twelve members, six of whom shall be residents of Beaufort County, four of whom shall be residents of Colleton County, and two of whom shall be residents of Jasper County.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of May, 1965.

(R384, H1219)

No. 272

An Act To Amend Section 28-308, Code Of Laws Of South Carolina, 1962, Relating To Hunting From Public Roads, So As To Make Such Provisions Applicable To Game Zone No. 5.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 28-308 amended—hunting from public roads in certain game zones.—Section 28-308, Code of Laws of South Carolina, 1962, is amended by adding at the end of line one "Game Zone No. 5," and by adding after the figure "3" on line ten ", Game Zone No. 5" so that, when so amended, the section shall read:

"Section 28-308. The hunting of all game from public roads in Game Zone No. 3, Game Zone No. 5, Game Zone No. 6 or Game Zone No. 7 is prohibited whenever such public roads are adjacent to lands that are posted against trespassing or hunting; *provided, however,* that the provisions of this section shall not apply in Game Zone No. 6 to hunting by owners of the adjacent lands or by persons who have permission of the owners to hunt said adjacent lands. The term 'hunting' as used in this section includes the hunting of deer by occupying stands therefor. Anyone violating the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction, in Game Zone No. 3, Game Zone No. 5 or Game Zone No. 6 shall be fined not more than one hundred dollars or be imprisoned for a period not to exceed thirty days and in Game Zone No. 7 shall be fined in an amount not to exceed one hundred dollars or imprisoned for a term not to exceed thirty days, or both, in the discretion of the court."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of May, 1965.

(R385, H1514)

No. 273

An Act To Amend Chapter 1 Of Title 56, Code Of Laws Of South Carolina, 1962, Relating To Accountants, So As To Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chapter 1, Title 56, 1962 Code, amended—accountants—regulation of.—Chapter 1 of Title 56, Code of Laws of South Carolina, 1962, is amended to read as follows:

"CHAPTER 1

Accountants

Section 56-1. Any person shall be deemed to be practicing public accounting as a certified public accountant within the meaning of this chapter who shall display a sign or in any way hold himself out as a certified public accountant.

Section 56-2. It shall be unlawful for any person to hold himself out as a certified public accountant or to use the title certified public accountant or the designation CPA in this State unless such person shall have obtained a certificate of registration from the South Carolina Board of Certified Public Accountant Examiners as provided in this chapter. It shall be unlawful for any partnership to hold itself out as a partnership of certified public accountants unless it is registered with the South Carolina Board of Certified Public Accountant Examiners and meets the following requirements:

(a) At least one general partner must be a certified public accountant of this State in good standing.

(b) Each partner personally engaged within this State in the practice of public accounting as a member thereof must be a certified public accountant of this State in good standing.

(c) Each partner must be a certified public accountant in good standing of some state of the United States.

(d) Each resident manager in charge of an office of the firm in this State must be a certified public accountant of this State in good standing.

Application for such registration must be made upon the affidavit of a general partner of such partnership who is a certified public accountant of this State in good standing. The Board shall in each case determine whether the applicant is eligible for registration. A partnership which is so registered may use the words 'certified public ac-

countants' or the designation CPA's in connection with its partnership name. Notification shall be given the Board, within one month, after the admission to or withdrawal of a partner from any partnership so registered.

No person shall assume or use the title or designation 'certified public accountant' in conjunction with names indicating or implying that there is a partnership or in conjunction with the designation 'and Company' or 'and Co.' or a similar designation if, in any such case, there is in fact no bona fide partnership; *provided,* that a sole proprietor or partnership lawfully using such title or designation in conjunction with such names or designation on the effective date of this section, may continue to do so if he or it otherwise complies with the provisions of this chapter.

Section 56-3. There is hereby created a board which shall carry out the purposes and enforce the provisions of this chapter and shall be styled the South Carolina Board of Certified Public Accountant Examiners, the members of which shall be appointed by the Governor.

Section 56-4. The Board shall consist of three members. The term of each member shall be three years and until his successor is appointed and qualifies, the original appointments of members, however, shall be for one, two and three years, respectively. Vacancies shall be filled by appointment by the Governor for the unexpired terms only. Only licensed certified public accountants shall be eligible to appointment as members of the Board. The Governor shall remove from the Board any member whose license to practice has become void, or has been revoked or suspended and may, after hearing, remove any member of the Board for neglect of duty or other just cause.

Section 56-5. The members of the Board shall qualify by taking the oath of office before a notary public or other officer empowered to administer oaths and a record thereof shall be filed in the office of the Secretary of State. At the first meeting of the Board after each annual appointment the Board shall elect a chairman, a vice chairman and a secretary-treasurer. The secretary-treasurer shall give such bond as the Board shall from time to time direct.

Section 56-6. Members may receive a per diem and expenses for each day actually engaged in the duties of his office and mileage at the rate provided by law for State employees for all distances necessarily traveled in going to and from the meetings of the Board. Such expenses shall be paid from fees and licenses received by the Board

under the provisions of this chapter and no part of the salary or other expenses of the Board shall ever be paid out of the State Treasury.

Section 56-7. Two members of the Board shall constitute a quorum. Regular meetings shall be held at least once a year at a convenient time and place. Such other meetings of the Board as are deemed necessary shall be held on the call of the chairman or of the other two members of the Board at such time and place as may be designated.

Section 56-8. The Board may prescribe rules, regulations and by-laws, in harmony with the provisions of this chapter for its own proceedings and government and for the examination of applicants for the practice of accounting. The Board may promulgate and amend rules of professional conduct appropriate to establish and maintain a high standard of integrity and dignity in the profession of public accountancy. Within sixty days after the promulgation of any such rule or amendment, the Board shall mail copies of the rule or amendment to each holder of a license issued under this chapter with a notice advising him of the effective date of the rule or amendment. Failure to mail such rule, amendment or notice to all license holders shall not affect the validity of any such rule or amendment. The Board, or any member thereof, may issue subpoenas to compel the attendance of witnesses and the production of documents, and may administer oaths, take testimony, hear proofs and receive exhibits in evidence for all purposes required in the discharge of its duties. In case of disobedience to a subpoena the Board may invoke the aid of any court of this State in requiring the attendance and testimony of witnesses and the production of documentary evidence and shall adopt a seal to be affixed to all its official documents.

Section 56-9. All money received in excess of the per diem allowance, expenses and mileage of members, as herein provided for, shall be held by the secretary-treasurer as a special fund for meeting the expenses of the Board and carrying out the provisions of this chapter.

Section 56-10. The Board shall make an annual report of its proceedings to the Governor as soon as practicable after the close of its fiscal year which shall end on June 30, accompanied by a report of audit prepared by a South Carolina Certified Public Accountant. The report shall also contain an account of all funds received and disbursed by it pursuant to this chapter.

Section 56-11. Every person before beginning to practice as a certified public accountant in this State shall pass an examination

before the Board of Examiners in accounting and auditing and such related subjects as the Board shall determine to be appropriate.

Section 56-12. Each applicant making application for examination must submit evidence satisfactory to the Board that he (a) is a bona fide resident of this State of legal age and (b) is of good moral character and (c) meets the requirements of education as hereinafter provided:

(1) During the three-year period immediately following the effective date of this section the educational requirements shall be (a) satisfactory completion of two years of study at one or more colleges or universities, recognized by the Board, or (b) graduation from a junior college, recognized by the Board, or qualifications which the Board determines to be substantially the equivalent of (a) or (b) above.

(2) After the expiration of three years from the effective date of this section, the educational requirements shall be a baccalaureate degree conferred by a college or university recognized by the Board, or qualification which the Board determines to be substantially the equivalent of the foregoing.

None of the educational requirements specified in (1) or (2) above shall apply to a candidate who on the effective date of this section was practicing as a public accountant or who was employed as a staff accountant in this State by anyone practicing public accounting.

The Board may, in its discretion, waive the educational requirement for any candidate if it is satisfied from the result of a special examination given the candidate by the Board to test his educational qualifications that he is as well equipped, educationally, as if he met the applicable educational requirement specified in (1) or (2) above. The Board may provide by regulation for the general scope of such examinations and may obtain such advice and assistance as it deems appropriate to assist it in preparing and grading such special examinations.

Section 56-13. The examination described in Section 56-11 and the special examination referred to in Section 56-12 shall be held by the Board and shall take place as often as the Board shall determine to be desirable, but the examinations described in Section 56-11 shall be held at least once each year.

The Board shall advertise the dates of the examination at least six weeks prior to the date set in such newspapers as shall provide adequate statewide notice.

The Board may make such use of all or any part of the uniform Certified Public Accountants' Examination or Advisory Grading Service as it deems appropriate to assist it in performing its duties.

A candidate for the certificate of certified public accountant who has successfully completed the examination required under Section 56-11 shall have no status as a certified public accountant, unless and until he has the requisite experience and has received his certificate as a certified public accountant. The experience requirement shall be two years of public accounting experience under a certified public accountant or three years of other public accounting experience, satisfactory to the Board.

The Board may by regulation provide for granting a credit to a candidate for satisfactory completion of a written examination in any one or more of the subjects provided in Section 56-11 given by the licensing authority in any other state of the United States; *provided,* that when he took such examination he was not a resident of this State. Such regulations shall include such requirements as the Board shall determine to be appropriate in order that any examination approved as a basis for any such credit shall, in the judgment of the Board, be at least as thorough as that included in the most recent examination given by the Board at the time of the granting of such credit.

The Board may by regulation prescribe the terms and conditions under which a candidate who passes the examination in one or more of the subjects provided by Section 56-11 may be re-examined in only the remaining subjects, with credit for the subjects previously passed. It may also provide by regulation for a reasonable waiting period for a candidate's re-examination in a subject he has failed.

The applicable educational requirements of items (1) or (2) of Section 56-12 and experience requirements of Section 56-13 shall be those in effect on the date of the examination by which the candidate successfully completes his examination under Section 56-11; but the Board may provide by regulations for exceptions in order to prevent undue hardship to candidates resulting from changes in the educational requirements as provided in items (1) and (2).

The Board shall charge each candidate a fee, to be determined by the Board, not in excess of fifty dollars for the initial examination provided for in Section 56-11 and not in excess of fifty dollars for any special examination for a waiver of the educational requirements.

Fees for re-examinations provided by this section shall also be charged by the Board in amounts determined by it, but not in excess of twenty dollars for each subject in which the candidate is re-examined.

An application for examination or re-examination as prescribed by the Board shall be submitted and the applicable fee paid at least three weeks prior to the date of the examination.

Section 56-14. Certificates issued by the Board shall be signed by the chairman and the secretary-treasurer and the Board shall collect from the recipient a fee as set by it not in excess of ten dollars.

Any person who holds a license under this chapter, which is in full force and effect, shall be styled and known as a 'certified public accountant' and may also use the designation CPA. The Board shall maintain a list of certified public accountants.

Section 56-15. The Board shall keep a register in which shall be recorded the names of all persons examined and whether or not such applicants successfully passed the examination or any part thereof.

Section 56-16. Before any certificate is issued it shall be numbered and recorded in a book kept by the secretary-treasurer of the Board. In all legal proceedings the record so kept, or a certified copy thereof, shall be evidence of the facts therein stated.

Section 56-17. Persons who, on the effective date of this section, held certified public accountant certificates issued under the laws of this State shall not be required to obtain additional certificates under this chapter, but shall otherwise be subject to all provisions of this chapter, and such certificates shall, for all purposes, be considered certificates issued under this chapter and subject to the provisions hereof.

Section 56-18. The Board may in its discretion, upon application in writing, waive the examination referred to in Section 56-11 and issue a certificate to any person who has the qualifications required by this chapter and the rules of the Board when such person shall submit to the Board such evidence as to such qualifications as may be required by and be satisfactory to the Board and when (a) such person for not less than one year has been the holder of a certificate, license or degree in another state or a foreign country constituting a recognized qualification for the practice of public accounting in such state or foreign country, and (b) the standards prescribed by law or the rules and examinations conducted in such state or foreign nation are,

in the opinion of the Board, fully equivalent to the standards in this State.

Any nonresident obtaining a certificate in this State under the provisions of this section shall pay such application, certificate and annual license fees as are required of bona fide residents of this State and shall be subject to such regulations and restrictions as are required of bona fide residents who are recipients of certificates of registration under this chapter.

If for any reason the certificate of original issue of any such person is revoked or cancelled the Board may revoke and cancel the certificate issued to such person under the provisions of this section.

Section 56-19. Any person who holds a valid and unrevoked certificate as a certified public accountant issued under the authority of any state of the United States and who resides without the State of South Carolina may hold himself out as a certified public accountant within the State; *provided,* that he register with the Board and comply with its rules regarding such registration. A fee not to exceed fifteen dollars shall be charged for such registration or annual reregistration. A partnership each partner of which is a certified public accountant in good standing of some state of the United States may be considered one person for the purposes of this section.

Section 56-20. Every registered certified public accountant who desires to continue the practice in this State shall annually, on or before the first day of July of each year, pay to the secretary of the Board a license fee, to be fixed by the Board and which shall in no case exceed the sum of twenty-five dollars per annum, for which he shall receive a renewal of his license.

At its discretion, the Board may reduce or waive this annual fee in cases of illness, retirement from practice and similar situations.

Section 56-21. In case of default in such payment by any person his certificate shall be revoked by the Board upon the giving of twenty days notice in writing by the secretary-treasurer of the time and place of considering such revocation. The deposit of such notice in the United States post office addressed to such person at his last known place of residence or business, the registered postage prepaid thereon, shall be presumed to be due and legal service of such notice. But no certificate shall be revoked for nonpayment if the person notified shall pay such penalty as may be imposed by the Board not exceeding twenty-five dollars. Any person whose certificate of registration has been revoked for failure to pay his renewal fee may

apply to have it regranted to him upon payment to the Board of any penalties established and all renewal fees that should have been paid had the certificate of registration not been revoked.

Section 56-22. Any person registered as provided for in this chapter may have his certificate of registration revoked or suspended by the Board after a proper hearing as prescribed in Section 56-24 for any of the following causes:

(1) His conviction of a crime, involving moral turpitude, under the law of any state or of the United States or of any other Country, in which case the record of conviction, or a copy thereof certified by the clerk of court or by the judge in whose court the conviction is had, shall be conclusive evidence thereof; and the word conviction shall include a plea of guilty or a plea of nolo contendere;

(2) When his certificate of registration has been secured by fraud or deceit; or

(3) For unprofessional conduct or for gross negligence in his profession.

Section 56-23. After notice and hearing as provided in Section 56-24, the Board shall revoke the registration of a partnership if at any time it does not have all the qualifications prescribed by Section 56-2, and may revoke or suspend the registration of a partnership for any of the causes enumerated in Section 56-22, or for either of the following causes:

(a) The revocation or suspension of the certificate or registration or the revocation or suspension or refusal to renew the license to practice of any partner; or

(b) The cancellation, revocation, suspension or refusal to renew the authority of the partnership or any partner thereof to practice public accounting in any other state for any cause other than failure to pay an annual registration fee in such other state.

Section 56-24. (a) The Board may initiate proceedings under this chapter either on its own motion or on the complaint of any person.

(b) A written notice stating the nature of the charge against the accused and the time and place of the hearing before the Board on such charge shall be served on the accused not less than thirty days prior to the date of the hearing either

personally or by mailing a copy thereof by registered mail to the address of the accused last known to the Board.

(c) If, after having been served with the notice of hearing as provided for herein, the accused fails to appear at the hearing and defend, the Board may proceed to hear evidence against him and may enter such order as shall be justified by the evidence, which order shall be final unless the accused petitions for a review thereof as provided herein; *provided,* however, that within thirty days from the date of any order, upon showing of good cause for failing to appear and defend, the Board may reopen the proceedings and may permit the accused to submit evidence in his behalf.

(d) At any hearing the accused may appear in person and by counsel, produce evidence and witnesses on his own behalf, cross-examine witnesses, and examine such evidence as may be produced against him. The accused shall be entitled, on application to the Board, to the issuance of subpoenas to compel the attendance of witnesses on his behalf.

(e) The Board shall not be bound by technical rules of evidence.

(f) A record of the hearings shall be kept and filed with the Board.

(g) At all hearings the Attorney General of this State, or one of his assistants designated by him, or such other legal counsel as may be employed shall appear and represent the Board.

(h) The decision of the Board shall be by majority vote thereof, except a decision to revoke the permit must be by unanimous vote of those voting.

(i) Anyone adversely affected by any order of the Board may obtain a review thereof by filing a written petition for review with the Court of Common Pleas in any county of this State within thirty days after the entry of the order. The petition shall state the grounds upon which the review is asked. A copy of such petition shall be forthwith served upon any member of the Board and thereupon the Board shall certify and file in the court a copy of the record upon which the order complained of was entered. The court may, in its discretion, stay the effect of the Board's order pending its determination of the case.

Section 56-25. Upon application in writing and after hearing pursuant to notice, the Board may issue a new certificate to a certified public accountant whose certificate shall have been revoked, or may

permit the re-registration of anyone whose registration has been revoked, or may re-issue or modify the suspension of any license to practice public accounting which has been revoked or suspended.

Section 56-26. Each office established or maintained in this State for the practice of public accounting by a certified public accountant, or partnership of certified public accountants, or by one registered under Section 56-14 shall be registered under this chapter with the Board, but no fee shall be charged for such registration. Each such office shall be under the direct supervision of a resident manager who may be either a partner or a staff employee holding a license under this chapter which is in full force and effect. The Board shall be advised of change of location of such offices in management.

Section 56-27. Any person who shall violate any of the provisions of this chapter shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than fifty dollars and not exceeding two hundred dollars or by imprisonment for not less than twenty days and not exceeding sixty days.

Section 56-28. All statements, records schedules, working papers, and memoranda made by a certified public accountant incident to or in the course of professional service to clients, except reports submitted to a client, shall be the property of such accountant, in the absence of an express agreement between such accountant and the client to the contrary.

Section 56-29. The term 'state' when used in this act includes any state, territory or insular possession of the United States, or the District of Columbia."

SECTION 2. Construction of act.—Nothing in this act shall be construed as forming a new Board.

SECTION 3. Time effective.—This act shall take effect July 1, 1965.

Approved the 13th day of May, 1965.

(R386, H1602)

No. 274

An Act To Permit The Creation Of Sewer Districts In Orangeburg County; To Provide For Their Areas And Functions; To Provide For Their Governing Bodies, Their Terms, Powers And Duties; To Preserve The Rights Of Existing Districts And To Provide Penalties For Certain Actions.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Sewer districts may be created in Orangeburg County.—There may be created in Orangeburg County sewer districts which shall be bodies corporate and politic of perpetual succession. It shall be the purpose and function of any district created under the provisions of this act to acquire, construct and operate a sewer system, utilizing therefor water from available sources, by purchase or otherwise, at such convenient points as the district shall select, to provide for sewage disposal for domestic, commercial or industrial users who can be conveniently and economically served within or without the service area as may be created. To this end the district shall perform the functions prescribed by this act and shall be vested with the powers herein granted and all other powers that may be necessary or incidental in carrying out the functions herein prescribed and exercising the powers herein granted. The system of sewage disposal shall include sewer lines, pipes, pumps, treatment plants, lagoons and other facilities both within and without the district for collection, treatment, dispersal and disposal of sewage.

SECTION 2. Petition for formation.—In order to create a district under the provisions of this act, at least twenty-five owners of real property residing within the boundaries of the proposed district shall file a petition with the governing body of the county which, among other things, shall propose a name for the district. The petition shall set forth a full description of the area of the district. Upon receipt of the petition, the governing body shall call for an election to be held within the area within sixty days. Notice of the election shall be published in a newspaper having general circulation within the area for at least two consecutive weeks prior to the election. The governing body shall have prepared and distributed a sufficient number of ballots, including absentee ballots, if requested. The ballots shall contain the question regarding the formation of the district and such other instructions as the governing body deems

necessary. The governing body shall appoint managers for the election and such other personnel as it deems necessary and shall canvass the results of the ballots. The final result shall be filed in the office of the clerk of court and, if favorable, also in the offices of the Secretary of State and the Code Commissioner, together with a full description of the district. Should a majority of those voting in the election vote in favor of the creation of the district, it shall become immediately effective.

Provided, that no election shall be held until a description of the proposed district with boundaries has been submitted to the legislative delegation from the county and approved by the Senator and at least one-half of the other members.

SECTION 3. To be managed by a board.—The district shall be operated and managed by a board of directors to be known as the "_____ Sewer District Board of Orangeburg County" which shall constitute the governing body of the district. The board shall consist of five resident electors of the area who shall be appointed by the Governor, upon the recommendation of a majority of the Orangeburg County Legislative Delegation. The original appointments shall be for a term of two years for two appointees, four years for two appointees and six years for one appointee. All terms after the initial appointments shall be for six years. All appointees shall hold office until their successors shall have been appointed and qualify. Any vacancy shall be filled in like manner as the original appointment for the unexpired portion of the term.

Immediately after appointment, the board shall meet and organize by electing one of its members as chairman, one as vice-chairman, one as secretary and one as treasurer. The offices of the secretary and treasurer may be combined in the discretion of the board.

SECTION 4. Persons eligible to vote.—In order to be eligible to vote under the provisions of this act, a person must be twenty-one years of age or over or a designated officer of a corporation, who or which owns legal title to a present possessory interest in real estate lying within the district equal to a life estate or greater (expressly excluding leaseholds, easements, equitable interests, inchoate rights, dower rights and future interests).

SECTION 5. Powers and duties.—The district, acting through its governing body, is hereby vested with all such powers as may be necessary or incidental to carry out its purposes, functions and responsibilities including, but without limiting, the following:

(1) To enter into contracts by which any other special purpose district or municipal corporation in Orangeburg County may agree to maintain and operate any part or all of any sewage disposal system of a district or under its control, on a cost basis or any reasonable basis;

(2) To sue and be sued (except that the right to be sued shall not extend any waiver of sovereign immunity);

(3) To adopt, use and alter a corporate seal;

(4) To make bylaws for the management and regulations of its affairs and to define a quorum for its meetings;

(5) To accept gifts and grants;

(6) To make any and all regulations which shall be deemed appropriate in connection with the construction, establishment, maintenance and use of any sewage facilities possessed by the district or under its control;

(7) To prescribe regulations requiring persons who shall be residents of the district to make use of any sewer system which the district shall place or continue in operation. Such regulations, however, shall become effective when they have been adopted by resolution of the board, a certified copy thereof has been filed in the office of the Clerk of Court of Orangeburg County, a copy has been posted in the Orangeburg County Courthouse, and the notice of the adoption and filing of the regulations has been published at least once a week for three successive weeks in a newspaper published in Orangeburg County. The notice shall specify in brief the scope of the regulations and shall state the date on which they shall become effective. Prior to the adoption of the aforesaid resolution, the board shall give public notice of the time and place of the meeting which is to be held to consider the adoption of such resolution and notice of such meeting shall appear in a newspaper published in Orangeburg County not less than seven days prior to the occasion fixed for the holding of such meeting. Any persons affected may attend such meeting in person or by attorney. The provisions of this paragraph, prescribing conditions upon the effectiveness of regulations adopted to require compulsory use of sewer facilities, shall not be deemed to impose mandatory conditions upon the making or adoption of any other type of regulation authorized by this act.

(8) To acquire, establish, maintain, operate, extend, enlarge and improve such system of sewers, sewer lines, sewer mains and sewage disposal and treatment facilities as, in the opinion of the board, is required for the maintenance of the health of the district;

(9) To purchase, lease and hold real property, easements and property rights reasonably necessary to enable it to carry out its functions;

(10) To purchase or lease existing sewer lines, mains, systems, sewage disposal or treatment plants and to make contracts whereby they may be connected to the lines or system which it may establish;

(11) To make such contracts as shall be reasonably necessary in order that the district may be adequately served for the collection, treatment and disposal of sewage;

(12) To employ such engineering, clerical and other help as it deems necessary and fix the salaries and compensation of such employees;

(13) To place into effect and to revise a schedule of rates and charges upon all those who use the sewage facilities of the district;

(14) To require a permit for connection with any sewer constructed and maintained by the board and, as a condition to the issuance of any such permits, to promulgate regulations prescribing the type and manner of connections permitted to be made therewith, to inspect such connections to insure compliance and make a reasonable charge for permits sufficient to cover the cost thereof and of such inspection;

(15) To make use of county and State highway rights-of-way in which to lay pipes and lines in such manner and under such conditions as the appropriate officials in charge of such rights-of-way shall approve;

(16) To exercise the power of eminent domain for any corporate function. The power of eminent domain may be exercised through any procedure prescribed by Chapter 3, Title 25, Code of Laws of South Carolina, 1962, or by following the procedure for the exercise of eminent domain by the State Highway Department, prescribed by Article 2, Chapter 3, Title 33, Code of Laws of South Carolina, 1962;

(17) Contract with the governing agency of any municipal corporation or special purpose district for the collection of sewer charges imposed for the use of any sewage disposal facilities maintained by the district. Such contract may empower such governing agency to add charges, made for the use of the sewage disposal system, to the water bill of any person who shall obtain water from any waterworks system operated by such governing agency and to disconnect or discontinue all service upon the failure to pay such bill.

(18) To borrow money and to make and issue negotiable bonds, notes and other evidences of indebtedness, payable from all or any part of the revenues derived from the operation of its system. The sums borrowed may be those needed to pay all costs incident to the construction and establishment of the system, and any extension, addition and improvement thereto, including engineering costs, construction costs, the sum needed to pay interest during the period prior to which the system, or any extension, addition or improvement thereof, shall be fully in operation, such sum as is needed to supply working capital to place the system in operation, and all other expenses of any sort that the district may incur in establishing, extending and enlarging the system. Neither the members of the board, nor any person signing the obligations, shall be personally liable thereon. To the end that a convenient procedure for borrowing money may be prescribed, the district shall be fully empowered to avail itself of all powers granted by Sections 59-361 through 59-415 and 59-651 through 59-682 of the 1962 Code, as now or hereafter constituted, it being the intent of the provision that further amendments and modifications of the code provisions shall be deemed to amend and revise correspondingly the powers granted by this paragraph. In exercising the powers conferred upon the district by such code provisions, the district may make or omit all pledges and covenants authorized by any provision thereof, and may confer upon the holders of its securities all rights and liens authorized by either such statute. Specifically and notwithstanding contrary provisions in any of such code provisions, if contrary provisions there be, the district may:

(1) Disregard any provision requiring that bonds have serial maturities and issue bonds with such maturities as the district shall determine;

(2) Provide that such bonds, notes or other evidences of indebtedness be payable, both as to principal and interest, from the net revenues derived from the operation of its system, as such net revenues may be defined by the board;

(3) Covenant and agree that upon it being adjudged in default as to the payment of any installment of principal or interest upon any obligation issued by it, or in default as to the performance of any covenant or undertaking made by it, that in such event the principal of all obligations of such issue may be declared forthwith due and payable, notwithstanding that any of them may not have then matured;

(4) Confer upon a corporate trustee the power to make disposition of the proceeds from all borrowings and of all revenues derived from the operation of the system, in accordance with the resolution adopted by the board as an incident to the issuance of any notes, bonds or other types of securities;

(5) Dispose of all obligations at public or private sale and upon such terms and conditions as it shall approve;

(6) Make provision for the redemption of any obligations issued by it prior to their stated maturity, with or without premium, and on such terms and conditions as the board shall approve;

(7) Covenant and agree that any cushion fund established to further secure the payment of the principal and interest of any obligations shall be in a fixed amount;

(8) Covenant and agree that no free service will be furnished to any person, firm, corporation, municipal corporation or any subdivision or division of the State;

(9) Prescribe the procedure, if any, by which the terms of the contract with the holders of its obligations may be amended, the number of obligations whose holders must consent thereto and the manner in which such consent shall be given;

(10) Prescribe the events of default and the terms and conditions upon which all or any obligations shall become or may be declared due before maturity and the terms and conditions upon which such declaration and its consequences may be waived;

(11) In the event that the revenues from the district are insufficient to retire any installment of principal and interest on bonds when they become due, the Auditor of Orangeburg County shall levy and the treasurer shall collect a tax upon all taxable property within the district sufficient to pay the principal and interest on the bonds.

SECTION 6. Rates not to be regulated.—The rates charged for services furnished by the system, as constructed, improved, enlarged and extended, shall not be subject to supervision or regulation by any State bureau, board, commission or like instrumentality or agency thereof.

SECTION 7. Tax exemptions.—Bonds, notes or other evidence of indebtedness issued pursuant to this act and interest payable thereon are hereby exempted from any and all State, county, municipal and other taxation whatsoever under the laws of this State and it shall be plainly stated on the face of each such obligation as follows: "The

principal of and interest on this (bond, note or other evidence of indebtedness) are exempted from any and all State, county and municipal and other taxation whatsoever under the laws of the State."

All property of the district shall be exempted from all ad valorem taxes levied by the State, county or any municipality, division, subdivision or agency thereof, direct or indirect.

SECTION 8. Fiscal year, audit and report.—The district shall conduct its affairs on the fiscal year basis employed by the State. As shortly after the close of its fiscal year as may be practicable, an audit of its affairs shall be made by certified public accountants of good standing, to be designated by the district. Copies of such audits incorporated into an annual report of the district shall be filed with the auditor and treasurer of the county and with the secretary to the legislative delegation of the county.

SECTION 9. Unlawful acts.—It shall be unlawful for any person to wilfully injure or destroy, or in any manner hurt, damage, tamper with or impair the system of the district, or any part thereof, or any machinery, apparatus or equipment of the district, or to obtain sewer service except in accordance with the regulations promulgated by the district. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not less than ten dollars nor more than one hundred dollars or be imprisoned for not more than thirty days, in the discretion of the court, and shall be further liable to pay all damages suffered by the district.

SECTION 10. Contracts with public entities.—The municipalities of the county and all public bodies and public agencies, now or hereafter operating sewer systems in the county, shall be fully empowered to enter into contracts to use facilities of the district. These contracts shall extend over such period of time and shall contain such terms and conditions as shall be mutually agreeable to the district and to the contracting municipality, public body or public agency.

SECTION 11. Not to affect other districts.—All rights, powers and duties of any district now existing in the county are hereby expressly reserved.

SECTION 12. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of May, 1965.

(R387, H1622)

No. 275

An Act To Provide That Delinquent Taxes Collected In Dillon County Be Allocated To The School Districts On A Per Pupil Basis.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Distribution of delinquent taxes.—All delinquent taxes collected in Dillon County shall be allocated to the Lake View School District No. 1, Dillon School District No. 2 and Latta School District No. 3 on a per pupil basis.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of May, 1965.

(R388, H1643)

No. 276

An Act To Provide That The Members Of The County Board Of Commissioners Of Greenville County Shall Not Be Required To Give Bond Before Entering Upon Their Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Commissioners not required to give bond.—Notwithstanding the provisions of Section 14-202, Code of Laws of South Carolina, 1962, the members of the County Board of Commissioners of Greenville County shall not be required to give bond before assuming their duties.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of May, 1965.

(R391, H1404)

No. 277

An Act To Provide For A State Bank Holding Company Act And To Provide For Penalties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Citation of act.—This act may be cited as "The State Bank Holding Company Act."

SECTION 2. Definitions.—The following words, when used in this act, shall mean:

(a) "Bank", any national banking association or any state bank, savings bank, trust company, and all institutions doing any kind of banking business, whether organized under the laws of this State, the laws of another state, or the laws of the United States, engaged or authorized to engage in the business of banking in this State.

(b) "Bank holding company", any company (1) which, directly or indirectly, owns, controls or holds with power to vote twenty-five per cent or more of the voting stock of each of two or more banking institutions; or (2) which controls the election of a majority of the directors of any two or more banking institutions; or (3) for the benefit of whose stockholders or members, twenty-five per cent or more of the voting stock of each of two or more banking institutions, is held by one or more trustees; any successor to any such company shall be deemed to be a bank holding company from the date as of which such predecessor company became a bank holding company. Notwithstanding the foregoing, no bank shall be a bank holding company by virtue of its ownership or control of stock in a fiduciary capacity, except where such stock is held for the benefit of the stockholders of such banking institution.

(c) "Board", The State Board of Bank Control.

(d) "Company", any banking institution, corporation, partnership, business trust, voting trust, unincorporated association, joint stock association or similar organization organized under the laws of this State or doing business in this State, but shall not include (1) any corporation, the majority of the stock of which is owned by the United States or by any state; or (2) any corporation or association organized and operated exclusively for religious, charitable or educational purposes, no part of the net earnings of which inures to the benefit of any private stockholder or individual, and no substantial part of the activities of which is carrying on propaganda or otherwise attempting to influence legislation; or (3) any corporation or partnership owning or controlling stock acquired in connection with the underwriting of securities and which is held only for such period of time as will permit the sale thereof on a reasonable basis.

(e) "Subsidiary", (1) any company twenty-five per cent or more of whose voting stock (excluding stock owned by the United States or by any company wholly owned by the United States) is owned or controlled by a bank holding company; or (2) any company the

election of a majority of whose directors is controlled in any manner by a bank holding company; or (3) any company twenty-five per cent or more of whose vote or voting stock is held by trustees for the benefit of the stockholders or members of a bank holding company.

(f) "Successor", any company which acquired, directly or indirectly, from a bank holding company stock of any banking institution when and if the relationship between such company and the bank holding company is such that the transaction effects no substantial change in the control of the banking institution or beneficial ownership of the stock thereof. The Board may, by regulation, further define the word "successor" to the extent necessary to prevent evasion of the purposes of this act.

SECTION 3. Unlawful acts.—It shall be unlawful, except with the prior written approval of the Board, (1) for any action to be taken which results in a company becoming a bank holding company; (2) for any bank holding company to acquire, direct or indirect, ownership or control of any voting shares of any bank if, after such acquisition, such company will, directly or indirectly, own or control more than five per cent of the voting shares of such bank; (3) for any bank holding company or subsidiary thereof, other than a bank, to acquire all or substantially all of the assets of a bank; (4) for any bank holding company to merge or consolidate with any other bank holding company. Notwithstanding the foregoing, the prohibitions contained in this section shall not apply to (a) stock acquired in good faith in a fiduciary capacity, except where such stock is held for the benefit of the shareholders of a bank or bank holding company; (b) stock accepted in good faith as collateral security for advances made or stock acquired in the regular course of securing or collecting a debt previously contracted in good faith, but any shares acquired after the effective date of this act in securing or collecting any such previously contracted debt shall be disposed of within a period of two years from the date on which they were acquired unless its further holding is approved in writing by the board; (c) any stock acquired in connection with the underwriting of the issue of such stock and which is held only for such period of time as will permit the sale thereof on a reasonable basis.

SECTION 4. Application to take certain action.—Any company or bank holding company seeking authority to act under the provi-

sions of this act shall file an application with the Board, and the Board shall make an investigation to determine whether or not to approve said application based on a consideration of the following factors: (1) the financial history and condition of the companies and the bank concerned; (2) their prospects; (3) the character of their managements; (4) the convenience, needs and welfare of the communities and the area concerned; and (5) whether or not the effect of such acquisition or merger of consolidation would unreasonably affect adequate and sound banking, the public interest, and the preservation of competition in the field of banking.

SECTION 5. Registration — reports — rules and regulations. —(a) Each bank holding company shall register with the Board on forms prescribed by the Board which shall include such information with respect to the financial condition and operations, management and intercompany relationships of the bank holding company and its subsidiaries, and related matters, as the Board may deem necessary or appropriate to carry out the purposes of this act.

(b) The Board, from time to time, may require reports under oath to keep it informed as to whether the provisions of this act and such regulations and orders issued thereunder have been complied with, and the Board may make examinations of each bank holding company and each subsidiary thereof, the cost of which shall be assessed against and paid by such holding company.

(c) The Board may establish such rules and regulations as it deems necessary to carry out the purposes of this act.

SECTION 6. Penalties.—Any company which knowingly violates any provision of this act, or any regulation or order issued by the Board pursuant thereto, shall, upon conviction, be fined not more than one hundred dollars for each day during which such violation continues. Any individual who willfully participates in a violation of this act, or any rule or regulation of the Board issued pursuant thereto, shall, upon conviction, be fined not more than five thousand dollars. Any officer, director, agent or employee of a bank holding company or subsidiary thereof who makes any false entry in any book, record or statement of such company or subsidiary with the intent to deceive, or who, with like intent willfully omits to make a true entry of any material pertaining to the business of such company or subsidiary in any book, report, record or statement of such company or subsidiary, made or kept by him or under his direction, shall

be deemed guilty of a misdemeanor and, upon conviction, be fined not more than ten thousand dollars or imprisoned not more than one year, or both.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of May, 1965.

(R392, H1556) **No. 278**

An Act To Amend Section 23-160, Code Of Laws Of South Carolina, 1962, Relating To Voting Precincts In Beaufort County, So As To Further Define The Precincts.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 23-160 amended—voting precincts in Beaufort County designated.—Section 23-160, Code of Laws of South Carolina, 1962, is amended to read as follows:

"Section 23-160. In Beaufort County there shall be the following voting precincts:

No. 1. Beaufort No. 1. Beginning at a point at the intersection of Boundary Street (U. S. Highway 21) and Ribault Road (S. C. Highway 281); thence in an easterly direction along the center of Boundary Street and extending easterly therefrom to the waters of Beaufort River; thence following the waters of Beaufort River in a southerly and westerly direction to a point opposite the Beaufort County Courthouse; thence in a northerly direction to the center of Bay Street to a point south of Beaufort County Courthouse; thence in a westerly direction along the center of Bay Street to its intersection with Ribault Road; thence in a northerly direction along the center of Ribault Road to the point of beginning.

No. 2. Beaufort No. 2. Beginning at a point of the intersection of Boundary Street (U. S. Highway 21) and Ribault Road (S. C. Highway 281); thence in an easterly direction along the center of Boundary Street and extending east therefrom to the waters of Beaufort River; thence following the waters of Beaufort River in a northerly and westerly direction to a point north of the western city limits of Beaufort; thence south to the intersection of the western limits of

the City of Beaufort and Boundary Street; thence easterly along the center of Boundary Street to the point of beginning.

No. 3. Beaufort No. 3. Beginning at a point of the intersection of Boundary Street (U. S. Highway 21) and Ribault Road (S. C. Highway 281); thence south along the center of Ribault Road to its intersection with Bay Street; thence easterly along the center of Bay Street to a point due south of the Beaufort County Courthouse; thence southerly following the waters of Beaufort River to a point east of the southern city limits of Beaufort; thence westerly along the southern city limits of Beaufort to the waters of Battery Creek; thence northerly following the waters of Battery Creek to the intersection of Boundary Street and the western city limits of the City of Beaufort; thence easterly along the center of Boundary Street to the point of beginning.

No. 4. Mossy Oaks. That area immediately south of the city limits of Beaufort being bounded on the north by the city limits of Beaufort; on the east by the waters of Beaufort River; on the south by the center line of Waddell Road and a line extending easterly and westerly therefrom and on the west by the waters of Battery Creek.

No. 5. Port Royal. The Town of Port Royal and that area of Port Royal Island lying south of the center line of Waddell Road and an easterly and westerly extension thereof.

No. 6. Burton No. 1. That area of Port Royal Island lying north and west of a line formed by S. C. Highway No. 170 commencing at the Broad River Bridge; thence in a northeasterly direction on the center line of S. C. Highway No. 170 to its intersection with Atlantic Coast Line Railroad; thence easterly along the center line of Atlantic Coast Line Railroad to the city limits of Beaufort; thence northerly along the western city limits of the City of Beaufort to the waters of Albergotti Creek.

No. 7. Burton No. 2. That area of Port Royal Island lying westerly of Battery Creek and south and east of a line formed by S. C. Highway No. 170 commencing at the Broad River Bridge; thence in a northeasterly direction on the center line of S. C. Highway No. 170 to its intersection with Atlantic Coast Line Railroad; thence easterly along the center line of Atlantic Coast Line Railroad to the city limits of Beaufort; thence northerly along the western city limits of the City of Beaufort to the waters of Albergotti Creek, including Parris Island.

No. 8. St. Helena No. 1. The western portion of St. Helena Island and all of the small islands adjacent thereto, being bounded on the north by Morgan River; on the east by center line of S. C. Roads 183 and 74 (Eddings Point Road) and the county roads extending southerly to the waters of Harbor River; on the southeast by the waters of Harbor River and Trenchards Inlet and on the west by the waters of Port Royal Sound, Chowan Creek and other waters separating St. Helena Island from Ladies Island.

No. 9. St. Helena No. 2. That area of St. Helena Island and all of the small islands adjacent thereto, being bounded on the north by the waters of Morgan River and St. Helena Sound; on the east by the Atlantic Ocean; on the west by Trenchards Inlet, Harbor River and a line formed by the county road running from Seaside Road to the intersection of Eddings Point Road; thence northerly along the center line of Eddings Point Road (S. C. Roads 183 and 74) to the waters of Morgan River.

No. 10. Dale Lobeco. The southern portion of Sheldon Township lying south of the center line of S. C. Road 149 south of a line due east from the intersection of State Road 149 and State Road 43 to the Combahee River and south of a line due west from the intersection of State Road 149 and U. S. Highway 21 to Huspah Creek; thence southerly along Huspah Creek to Whale Branch; thence easterly along Whale Branch to Coosaw River; thence easterly along Coosaw River to the Combahee River; thence northwesterly along Combahee River to point where line extended due east of intersection of State Roads 43 and 149 intersects the Combahee River and east of Huspah Creek.

No. 11. Sheldon. The remaining portion of Sheldon Township not included in the Dale Lobeco precinct.

No. 12. Barrell Landing. That portion of Bluffton Township lying within the following boundaries: Beginning at the intersection of State Road 170 and Chechessee River; thence southerly to the Colleton River; thence westerly up the Colleton River to a point where the Mingledolph Farm Road intersects the Colleton River; thence southerly down the center line of Mingledolph Farm Road to State Road 462; thence southerly down the center line of State Road 29 to its intersection with a county road; thence westerly down center line of county road to its intersection with State Road 46; thence westerly down the center line of State Road 46 to its intersection

with Rose Dhu Creek; thence northwesterly along a line to the intersection of State Roads 34 and 170; thence northwesterly on an extension of such line to the Jasper County line; thence along the Jasper County line to its intersection with Chechessee River; thence to the Chechessee River to the point of beginning.

No. 13. Bluffton. The remaining portion of Bluffton Township not included in the Barrell Landing Precinct.

No. 14. Hilton Head. Composed of Hilton Head Island, Jenkins Island and Pinckney Island.

No. 15. Daufuskie. Composed of Daufuskie Island.

No. 16. Lady's Island. That area of Lady's Island and all of the smaller islands adjacent thereto being bounded as follows: Beginning at a point on the Beaufort River where U. S. Highway 21 crosses the river; thence northerly up Beaufort River to Brickyard Creek; thence northerly up Brickyard Creek to the Coosaw River; thence easterly down the Coosaw River to St. Helena Sound; thence southerly through St. Helena Sound to the Morgan River; thence westerly down the Morgan River and other tributaries separating Lady's Island from St. Helena Island to Chowan Creek; thence down Chowan Creek to Port Royal Sound; thence northerly up the Beaufort River to the point of beginning."

SECTION 2. Effective dates for new boundaries.—The new boundaries for the following precincts: Beaufort No. 1; Beaufort No. 2; Beaufort No. 3; Mossy Oaks and Port Royal shall take effect July 1, 1965, the remaining precincts becoming effective in September 1967. All voter registration for the decennial registration beginning in the fall of 1967 shall be by the appropriate precinct.

SECTION 3. Certain precincts to have same boundaries.—Where not otherwise specified the boundaries of the voting precincts shall be those as existed prior to the passage of this act.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of May, 1965.

(R395, H1596)

No. 279

An Act To Create The Cherokee County Recreational Commission And To Prescribe Its Powers And Duties.

Whereas, the General Assembly has determined that the people of Cherokee County can be benefited tremendously by the creation of a recreational commission and by making available for the use of the people certain recreational facilities. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Cherokee County Recreation Commission created.—There is hereby created the Cherokee County Recreational Commission which shall be a body corporate. The commission shall consist of five members who shall be appointed by the Governor upon the recommendation of the Cherokee County Legislative Delegation. The members shall serve for terms of four years and until their successors are appointed and qualify except, of those members first appointed, two shall serve for terms of two years, which shall be determined by lot at the first meeting of the commission after appointment. Upon determination of the terms of those who shall serve first on the commission, the chairman shall notify the Secretary of State who shall forthwith issue commissions.

The commission shall meet as soon as practicable after appointment and shall elect one of its members as chairman and such other officers as the commission may deem necessary. The term of the chairman shall be for one year and he may succeed himself. The commission shall hold regular meetings at such times and places as it may designate; *provided,* that at least four public meetings shall be held each year.

SECTION 2. Accept gifts and grants—leases.—The commission is authorized to accept title to property situated in Cherokee County in either fee simple or with such reversionary clauses as may be mutually agreed upon, whereby the title to lands shall revert to the grantor upon certain specific conditions. The commission is authorized to accept any gifts or federal grants believed to be useful for recreational purposes and the decision of the commission to accept a gift shall be final. The commission is also authorized to enter into leases with the owners of land considered desirable in carrying out the purposes of this act, including, but not limited to, agencies of the State and Federal governments.

SECTION 3. Duties.—The commission shall operate recreational programs and be charged with the care, management, control and development of all property acquired, whether by deed of conveyance or by lease, and shall have full authority to regulate the use of the property by rules and regulations which shall be published in a newspaper of general circulation in Cherokee County and also posted in a conspicuous place on the property. All park and recreational facilities under control of the commission shall be developed to their greatest potential for educational and recreational purposes.

SECTION 4. Compensation—disbursements.—Members of the commission shall receive no salary but shall be entitled to such per diem, subsistence and mileage as authorized for commissions, committees and boards by law while in the performance of the duties for which appointed. The commission is authorized to disburse any funds which it might acquire, either by gift or by appropriation of the General Assembly, or otherwise, which shall be paid out on vouchers signed by the chairman of the commission.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of May, 1965.

(R398, S127)

No. 280

An Act To Amend Section 21-859, Code Of Laws Of South Carolina, 1962, Relating To Special Provision In Richland County For Sending Pupils To School In A District Other Than The One In Which They Reside, So As To Eliminate The Necessity Of A Certain Notice.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 21-859 amended—Richland County—when pupils may attend school in district other than where they reside.—Section 21-859, Code of Laws of South Carolina, 1962, is amended by deleting the last paragraph. When amended the section shall read as follows:

"Section 21-859. When either parent or a guardian in Richland County having any child or ward and maintaining such child or ward at his home shall pay tuition or own and pay tax as provided

in this section on property in a school district other than that in which such person and child or ward reside, such child or ward may be enrolled in school in the district in which such person owns such property, if such parent or guardian pays taxes in an amount sufficient to equal the average annual cost per pupil for operation, maintenance and capital outlay within that district, or, in the event that the taxes paid are insufficient to equal this amount, if such parent or guardian pays tuition to the trustees of that receiving district which shall be the difference between the average annual cost of operation, maintenance and capital outlay and the amount of taxes paid for school purposes within that particular school district. *Provided,* that if the tax so paid by the parent or guardian on property in a school district other than that in which such person and pupil reside, is derived from property which is rented as living quarters for persons who have children or who have charge of children who are enrolled in school as provided in State school law in the district in which such property is located, then the pupil cost of such children of the parent or guardian who occupies or is the lessee of said property shall constitute a first charge against the tax paid by the owner of the property; and then, if the total tax paid after paying the per pupil cost of the lessee's children is insufficient to defray the pupil cost of schooling the property owner's children, the difference must be paid by the property owner before his child or ward may be admitted. *Provided, further,* that no transfer of a pupil from one district to another shall be permitted if by such transfer a district will be placed for the ensuing school year in a lower classification, unless written consent is first obtained from the board of trustees of such districts.

Provided, further, that if the majority of the trustees in the district of residence determine that the above provisions will work a hardship in any particular case then, in that event, the trustees of the resident school district may pay to the trustees of the receiving school district the amount above provided for tuition for such child or ward."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of May, 1965.

(R399, S257) **No. 281**

An Act To Amend Section 66-153, Code Of Laws Of South Carolina, 1962, Relating To Inspection Of Scales And Measures, So As To Provide For The Inspection And Weighing Of Certain Vehicles.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 66-153 amended—inspection of scales and measures.—Section 66-153 of the Code of 1962 is amended by striking on line ten "driver of a coal wagon or ice wagon or driver of any wagon containing" and inserting "or driver of any vehicle containing coal, ice or any other" so that, when so amended, the section shall read:

"Section 66-153. The Commissioner of Agriculture or his duly authorized representatives shall inspect as often as practical all weights, scales, beams, measures of any kind, instruments or mechanical devices for weighing or measuring and tools, appliances and accessories connected with any or all such instruments or measures used in trade. The Commissioner or his duly authorized representatives for the purposes above mentioned in the general performance of their duties, without formal warrant, may enter or go into or upon any stand, place, building or premises or stop any vendor, peddler, junk dealer, or driver of any vehicle containing coal, ice or any other commodities for sale or delivery and, if necessary, require him to proceed to some place which the Commissioner or his agents may specify for the purpose of making proper tests."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of May, 1965.

(R400, S271) **No. 282**

An Act To Amend Section 55-409.1, Code Of Laws Of South Carolina, 1962, Relating To Assistant Jailers In Richland County, So As To Make Their Appointments Subject To The Approval Of The Governing Body Of The County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 55-409.1 amended—custody of jail and appointment of jailers.—Section 55-409.1, Code of Laws of South Carolina, is amended by striking the last sentence and inserting in lieu thereof the following: "The jailer shall appoint assistant jailers subject to the approval of a majority of the governing body of the county." The section when amended shall read as follows:

"Section 55-409.1. In Richland County the governing body of the county shall have the custody and keeping of the county jail and the county supervisor shall, by and with the consent of a majority of the governing body of the county, appoint a jailer, who shall be responsible to the supervisor for safely keeping in the jail any person delivered or committed to the jail according to law. The jailer shall appoint assistant jailers subject to the approval of a majority of the governing body of the county."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of May, 1965.

(R401, S292)

No. 283

An Act To Provide A Season For The Netting Of Nongame Fish In Red Bluff Pond In Marlboro County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Season for netting nongame fish in Red Bluff Pond in Marlboro County.—It shall be lawful to net nongame fish in Red Bluff Pond in Marlboro County during the months of December, January and February, from sunrise on Wednesday until sunset on Saturday, after registering with the caretaker of the pond. Each net used shall be clearly marked and no person netting fish shall have any other fishing equipment in his boat.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of May, 1965.

(R402, S295)

No. 284

An Act To Amend Section 27-422, Code Of Laws Of South Carolina, 1962, As Amended, Relating To Fees In Worthless Check Cases In Certain Counties, So As To Remove Williamsburg County From The Provisions Thereof; And To Provide For Worthless Check Fees In Williamsburg County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Item (1), Section 27-422, 1962 Code, amended—bad check fees in certain cases.—Item (1) of Section 27-422 of the Code of Laws of South Carolina, 1962, as amended, is further amended by striking on line two the word "Williamsburg". When so amended, the item shall read:

"(1) In Abbeville, Bamberg, Chester, Clarendon, Colleton, Darlington, Georgetown, Lexington, Spartanburg, and York Counties, magistrates one dollar, constables one dollar and the sheriff in Georgetown County only one dollar, and mileage as in all cases provided in item (10) of Section 27-451; and".

SECTION 2. Special provisions for Williamsburg County.—In Williamsburg County, when any case involving prosecution for violation of Section 8-176 of the Code of Laws of South Carolina, 1962, is discontinued by settlement or compromise, the magistrate shall charge and receive from the defendant a fee of three dollars, plus mileage as is provided by law for State employees.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of May, 1965.

(R403, S317)

No. 285

An Act To Repeal Act No. 224 Of The Acts Of 1963, Relating To The Catching Of Nongame Fish In The Waters Of The Edisto River In Dorchester County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Act 224 of 1963 repealed.—Act No. 224 of the Acts of 1963 is hereby repealed.

SECTION 2. Time effective.—This act shall take effect July 1, 1965.

Approved the 13th day of May, 1965.

(R404, H1154)

No. 286

An Act To Amend Section 56-1545.12, Code Of Laws Of South Carolina, 1962, Relating To Temporary Licenses For Persons Dealing In Real Estate, So As To Provide That Persons May Be Issued Permanent Licenses Upon Examination, And To Exempt Registered Foresters Under Certain Conditions; To Provide For The Licensing Of Certain Persons Without Examination; And To Repeal Section 56-1545.1 Code Of Laws Of South Carolina, 1962, Which Provides That Real Estate Brokers Need Not Be Licensed In Certain Counties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 56-1545.12 amended—temporary licenses. —Section 56-1545.12, Code of Laws of South Carolina, 1962, is amended by adding at the end thereof the following: *"Provided,* any person who desires to be issued a permanent license to operate a real estate office, to act as a real estate broker, counsellor, real estate salesman, appraiser or property manager, shall be issued such permanent license upon passing the examination prepared, prescribed and conducted by the Commissioner. *Provided,* further, this section shall not apply to foresters registered under the provisions of Chapter 2 of Title 29, so long as the sale of any land is merely incidental to the sale of timber thereon." The section when amended shall read as follows:

"Section 56-1545.12. The Commissioner is authorized to issue a temporary license to applicants desiring to begin the businesses regulated by this chapter, and meeting the requirements herein. Such license shall be valid for a period of one year, at the end of which the applicant shall take an examination prescribed by the Commissioner to determine the progress of his development into a real estate broker, counsellor, salesman, appraiser or property manager. If he passes the examination, the temporary license shall be extended for an additional year, at the end of which he shall take

and pass the examination provided for herein for a regular license. *Provided,* any person who desires to be issued a permanent license to operate a real estate office, to act as a real estate broker, counsellor, real estate salesman, appraiser or property manager, shall be issued such permanent license upon passing the examination prepared, prescribed and conducted by the commissioner. *Provided,* further, this section shall not apply to foresters registered under the provisions of Chapter 2 of Title 29, so long as the sale of any land is merely incidental to the sale of timber thereon."

SECTION 2. Certain persons may be licensed without examination.—Any person who has been engaged as a real estate broker, counsellor, real estate salesman, appraiser or property manager in the State for one year next preceding the effective date of this act, and has for such a period of one year or more been engaged actively in such business; may secure a license from the South Carolina Real Estate Commissioner without examination, provided that such person shall make application therefor as provided by Chapter 28 of Title 56 of the Code of Laws of South Carolina, 1962, within two years after the effective date of this act.

SECTION 3. Section 56-1545.1 repealed.—Section 56-1545.1, Code of Laws of South Carolina, 1962, is repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of May, 1965.

(R405, H1501)

No. 287

An Act To Amend Section 65-1587, Code Of Laws Of South Carolina, 1962, Relating To Tax Exemptions For Masonic Lodges In Certain Counties, So As To Include Those In Hampton County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 65-1587 amended—Masonic lodges in certain counties exempt from taxes.—Section 65-1587, Code of Laws of South Carolina, 1962, is amended by striking the word "and" on line one and inserting a comma and by inserting "and Hampton" after the word "Colleton" on line two so that when amended the section shall read as follows:

"Section 65-1587. All property owned by Masonic lodges in Allendale, Barnwell, Colleton and Hampton Counties shall be exempted from all State, county, school and municipal taxes. The auditor of each of said counties shall leave off the tax books of his county the property mentioned in this section."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of May, 1965.

(R407, H1637) **No. 288**

An Act To Amend An Act Bearing Ratification No. 211 Of 1965, Relating To Berkeley County Economic Opportunity Commission, So As To Enlarge The Membership Of The Commission And Further Define Initial Terms Of Office.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 3 of Act 153 of 1965 amended—members and compensation.—Section 3 of an Act bearing Ratification No. 211 of 1965 is amended by striking out the word "seven" on line one and inserting in lieu thereof the word "eleven", so that when amended Section 3 shall read as follows:

"Section 3. The commission shall be composed of eleven members who shall be appointed by the Governor upon the recommendation of the legislative delegation. The members of the commission shall serve without compensation."

SECTION 2. Section 4 of Act 153 of 1965 amended — terms and vacancies.—Section 4 of an Act bearing Ratification No. 211 of 1965 is amended by striking out the word "three" on line six and inserting in lieu thereof the word "five", so that when amended Section 4 shall read as follows:

"Section 4. The terms of office of the members of the commission shall be for two years and until their successors are appointed and qualify. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor. Of the initial appointees, five shall serve for one year."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of May, 1965.

(R408, H1641) **No. 289**

An Act To Create The Greenwood County Economic Opportunity Commission And To Prescribe Its Powers And Duties; And To Dissolve The Greenwood County Commission For Adult And Vocational Education And Devolve Its Powers And Duties Upon The Greenwood County Economic Opportunity Commission.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Greenwood County Economic Opportunity Commission—created.—There is hereby created the Greenwood County Economic Opportunity Commission.

SECTION 2. To be corporate body.—The commission is hereby declared to be a body politic and corporate and shall exercise and enjoy all the rights and privileges of such.

SECTION 3. Members and compensation.—The commission shall be composed of eleven members who shall be appointed by the Governor upon the recommendation of a majority of the legislative delegation. The members of the commission shall serve without compensation.

SECTION 4. Terms and vacancies.—The terms of office of the members of the commission shall be for two years or until their successors are appointed and qualify. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner, as his predecessor.

SECTION 5. Officers.—Immediately upon the appointment of the commission, it shall organize by electing one of its members as chairman, a second as vice chairman and a third as secretary and treasurer.

SECTION 6. Powers and duties.—The commission shall be responsible for the improvement of communication and cooperation among existing and future programs and the administration of one or more new programs designed to improve the health, education,

welfare, housing or employment of the residents of Greenwood County. To this end the commission shall be empowered as follows:

(a) To sue and be sued;

(b) To adopt, use and alter a corporate seal;

(c) To make bylaws for the management and regulation of its affairs;

(d) To appoint agents, employees and servants, to prescribe their duties, to fix their compensation, to determine if and to what extent they shall be bonded for the faithful performance of their duties;

(e) To undertake the improvement of communication and cooperation among existing and future programs administered by federal, state, county and municipal governmental agencies and private nonprofit organizations designed to improve the health, education, welfare, housing or employment of the county residents and, with the consent of such agencies and organizations, to coordinate same;

(f) To enter into contracts and agreements for performance of its programs and duties with federal, state, county and municipal governmental agencies and subdivisions thereof, and private nonprofit organizations;

(g) To accept and receive funds for the performance of its duties in the administration of its programs from such governmental agencies and subdivisions thereof and private nonprofit organizations, as well as any other sources;

(h) To designate an executive committee from among the members of the commission to which may be delegated one or more duties and responsibilities of the commission and, from time to time, to appoint one or more subcommittees composed of residents of Greenwood County to advise and assist in the administration of its program and the performance of its duties;

(i) To maintain adequate accounts and records of its activities, receipts and expenses in conformance with requirements of any contract or agreement with any federal, state, county or municipal governmental agency, or subdivision thereof, or any private nonprofit organization; and

(j) To acquire, own or hold in trust, preserve, restore, maintain or lease property, facilities and equipment reasonably necessary for the performance of its duties and the administration of its programs.

SECTION 6A. Not to conflict with other agencies.—The duties and powers of the commission shall not be construed so as to con-

flict with the existing duties and authority of various governmental boards, agencies or subdivisions of the county.

SECTION 7. Exempt from taxes.—All property of the commission shall be exempt from all ad valorem taxes levied by Greenwood County or any municipality therein, or any division, subdivision or agency thereof, directly or indirectly.

SECTION 8. Fiscal year and audit.—The commission shall conduct its affairs on the fiscal year basis employed by Greenwood County. As shortly after the close of its fiscal year as may be practicable, an audit of its affairs shall be made by a certified public accountant in good standing, to be designated by the county legislative delegation. Copies of such audit, incorporated into an annual report of the commission, shall be filed with the Greenwood County Legislative Delegation.

SECTION 9. Contracts not to be impaired.—The right to alter, amend or rescind this act is hereby expressly reserved and disclosed, but no such amendment or repeal shall operate to impair the operation of any contract otherwise made by the authority pursuant to any power conferred by this act.

SECTION 10. When action may be taken.—Any action required of the commission may be taken at any regular or special meeting, and at such meeting a majority of the members shall constitute a quorum.

SECTION 11. Additional duties.—The Greenwood County Commission for Adult and Vocational Education is hereby dissolved and all powers and duties of the commission respecting the establishment of a program of adult education are hereby devolved upon the Greenwood County Economic Opportunity Commission.

SECTION 12. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of May, 1965.

(R409, H1649)

No. 290

An Act To Provide For A Recorder For The Town Of Coward In Florence County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Town of Coward may employ recorder.—The town council of the Town of Coward in Florence County may employ a recorder, whose duty it shall be to try any offenses against the town ordinances. The town council shall fix the amount of compensation and the term of such recorder and may fix court costs.

SECTION 2. Jurisdiction.—The jurisdiction of the recorder of Coward shall be the same as that now vested in the mayor of the Town of Coward and there shall be the same right of appeal and trial in the court of the city recorder as exists under the law in all trials before the mayor.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of May, 1965.

(R410, S268)

No. 291

An Act To Amend The Code Of Laws Of South Carolina, 1962, By Adding Section 65-2014.2:6, So As To Authorize The Treasurer Of Beaufort County To Deposit Certain Funds In Building And Loan And Savings And Loan Associations.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 65-2014.2:6 added—deposit of certain monies by Beaufort County.—The Code of Laws of South Carolina, 1962, is amended by adding Section 65-2014.2:6 to read as follows:

"Section 65-2014.2:6. In addition to chartered banks, the Treasurer of Beaufort County is authorized to deposit funds referred to in Section 65-2014 in building and loan and savings and loan associations under the same terms and conditions as stated in such section and in Section 65-2015."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of May, 1965.

(R411, S274) **No. 292**

A Joint Resolution To Create A Committee To Make A Continuous Study Of The Educational System In The Public Schools Of The State.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Committee created to make continuous study of educational system of public schools.—There is hereby created a committee to make a continuous study of the educational system in the public schools of the State which shall consist of nine members, one of whom shall be the Chairman of the Senate Education Committee, and one of whom shall be the Chairman of the House Education and Public Works Committee, two of whom shall be appointed from the membership of the Senate by the President of that body, two of whom shall be appointed from the membership of the House of Representatives by the Speaker of that body, and three shall be appointed by the Governor. None of the Governor's appointees shall be members of the Legislature. In the case of a vacancy the successor shall be appointed in the manner prescribed for the original appointment. The members of the committee appointed pursuant to Concurrent Resolution No. H. 1651 of 1963 shall constitute the membership of this committee from the effective date of this act. The committee shall meet as soon as practicable after appointment and shall organize itself by electing one of its members as chairman and such other officers as the committee may deem appropriate. Thereafter, the committee shall meet upon the call of the chairman or a majority of the members.

SECTION 2. Duties.—The committee shall make a continuous study of the overall educational program of the State, including the administrative, financial, and all other phases, directly or remotely, influencing the effectiveness of the program. The financial status of the system should be given careful attention as the relative ability of all localities to assist in the support of adequate public schools varies considerably.

Educational television should be thoroughly explored. It is now widely used in serving educational needs of various communities in the State and throughout the entire nation as well. The General Assembly does not desire to limit the committee to the consideration of the following types of television education, but it does strongly suggest that these basic types should always be kept in mind:

(1) classroom instruction at all levels, bearing in mind that there is some disagreement over classroom presentations;

(2) adult education for scholastic credit;

(3) telecasts for children out of school, either after school hours or for children sick at home; and

(4) Improvement in teaching technique through improved in-service training programs for teachers.

The subject of improving the quality of instruction given pupils should receive high priority, along with teachers' pay. Teacher compensation should be constantly studied. The subject of teacher qualification and selection should be reviewed from time to time, as well as teacher training, certification, employment practices, in-service training, and a master teaching program.

The committee should consider a very serious problem confronting the public schools of the State, which is that of drop-outs, non-attendance and non-enrollment.

The building program, schoolbook program and any subject which the committee believes will assist the General Assembly in improving the educational facilities of South Carolina should be explored and reported on.

The committee shall make a thorough study of the education code of the State of South Carolina to eliminate duplication, conflicts, and obsolete material and statutes pertaining to the field of education.

SECTION 3. Employ personnel — compensation — expenditures.—The committee is authorized to employ such staff, clerical and other assistance as it may consider necessary in the performance of the duties for which appointed. The members of the committee shall receive no compensation but shall be authorized such per diem, mileage and subsistence as provided by law for members of boards, committees and commissions. All expenditures authorized herein shall be paid from such appropriation as may be provided annually by the General Assembly for the committee, which shall be paid out on warrants signed by the chairman of the committee.

SECTION 4. Reports.—The committee shall make a report to the General Assembly and to the Governor at least once during each General Assembly.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of May, 1965.

(R412, S277) **No. 293**

An Act To Amend Section 56-652, Code Of Laws Of South Carolina, 1962, Relating To Membership Of The South Carolina State Board Of Funeral Service, So As To To Increase The Membership Of The Board To Eight Members.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 56-652 amended—South Carolina State Board of Funeral Service created.—Section 56-652 of the 1962 Code is amended to read as follows:

"Section 56-652. There is hereby created a Board of Funeral Service to be known and designated as the 'South Carolina State Board of Funeral Service.' The Board shall consist of eight members, one from each Congressional District and two at large, three of whom shall be licensed embalmers and the other five licensed funeral directors, and each member shall have a minimum of five consecutive years' experience in this State as funeral director or embalmer immediately preceding appointment. The members of the Board shall be appointed by the Governor. Each appointment to the Board, except to fill a vacancy, shall be made from a list of five persons proposed to the Governor by the South Carolina Funeral Directors and Embalmers Association (but the nominees need not be members of the Association) on or before the tenth of June of each year, with the appointment to be made as of July fifteenth following. The original Board shall consist of two appointive holdover members of the present State Board of Embalmers, who shall serve until the expiration of their respective terms of office, unless removed for cause, and six other members appointed as above provided, one for one year, one for two years, and four for three years, two of whom shall be the members at large. Thereafter appointments shall be made for a term of three years, except that when an appointment is made to fill a vacancy it shall be for the remainder of the unexpired term."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of May, 1965.

(R413, S293)

No. 294

An Act To Amend Sections 32-292 And 32-293, Code Of Laws Of South Carolina, 1962, Relating To The Composition, Qualifications And Terms Of Office Of Members Of The Kershaw County Board Of Health, So As To Increase The Number Of Members Of The Board And To Provide For Their Election And Terms Of Office.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 32-292 amended—Kershaw County Board of Health—composition—qualifications.—Section 32-292, Code of Laws of South Carolina, 1962, is amended by striking it out and inserting the following:

"Section 32-292. The county board of health shall be composed of nine members designated in the following manner: Two members shall be elected by the Kershaw County Medical Association; one member shall be elected by the City Council of Camden; one member shall be the city attorney, ex officio; four members shall be elected by the Kershaw County Legislative Delegation, one of which shall be from Buffalo Township representing the Town of Bethune, one from Wateree Township representing the Town of Elgin, one from Flat Rock Township representing the Town of Kershaw and one from the county at large; the chairman of the Kershaw County Board of Directors or his designee. No person shall be elected to the board who is not a bona fide resident of Kershaw County. If for any reason the bodies herein designated to elect the members of the board shall fail or refuse to do so, the members of the board who have been properly designated as members thereof by their respective bodies, regardless of number, shall elect some suitable persons to act as members of the board until the bodies duly designated in this section to make such election or appointment shall have so made the election or appointment."

SECTION 2. Section 32-293 amended—terms.—Section 32-293, Code of Laws of South Carolina, 1962, is amended by striking it out and inserting the following:

"Section 32-293. Of those first appointed, the member elected by the Board of Directors of Kershaw County shall serve for a term of one year, one of the members elected by the county medical association and one of the members elected by the City Council of

Camden shall serve for terms of two years and the other two members elected by such bodies shall serve for terms of three years. The member elected by the Kershaw County Legislative Delegation from the county at large shall serve for a term of four years. The member elected by the delegation from the Town of Bethune shall serve for a term of five years and the members elected by the delegation from the Towns of Elgin and Kershaw shall serve for terms of six years. Thereafter, all members of the board shall serve for terms of six years or until their successors are appointed and qualify."

SECTION 3. Terms of present members terminated.—As of the effective date of this act, the terms of the present members of the County Board of Health of Kershaw County shall terminate but they shall continue to serve until their successors are appointed and qualify as provided in this act.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of May, 1965.

(R414, S296)

No. 295

An Act To Create The Gills Creek Water District Of Lancaster County And Prescribe Its Area And Functions; To Provide For Its Governing Body And Prescribe Its Powers And Duties; And To Provide Penalties For Certain Actions.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Gills Creek Water District of Lancaster County created.—There is hereby created a body corporate and politic of perpetual succession to be known as the Gills Creek Water District of Lancaster County (hereinafter called the district). It shall be the purpose and function of the district to acquire, construct and operate a water works system, utilizing therefor water from available sources, by purchase or otherwise, at such convenient points as the district shall select to provide a flow of water through pipes to the areas described in Section 2 of this act, and to such other domestic, commercial or industrial users who can be conveniently and economically served within or without the service area as herein provided.

To this end the district shall perform the functions prescribed by this act, and shall be vested with the powers herein granted and all other powers that may be necessary or incidental in carrying out the functions herein prescribed and exercising the powers herein granted. The water mains, distribution facilities, tanks, their several component parts, and all apparatus, equipment and property incidental thereto or used or useful in the operation thereof and all additions, improvements, extensions and enlargements to any of them shall be referred to in this act as the system.

SECTION 2. Service area.—The district shall include and be comprised of the following territory which shall be known as the service area:

Beginning at a point in the center of S. C. Hwy. 9 and the center of the Catawba River Bridge southwest of Lancaster, S. C.; thence proceeding northeast with the centerline of S. C. Hwy 9 to the intersection of the centerline of S. C. Hwy. 9 and the new Hwy. Bypass; thence northeasterly with the centerline of the new Hwy. Bypass crossing Highways 29-29, 29-67, U. S. 521, S. C. 200 and S. C. 9 to a point 500′ north of S. C. Hwy 903, this being the Dixie Water District boundary; thence running with the Dixie Water District boundary 500′ north of and parallel to S. C. Hwy. 903 to a point 500′ west of 29-70, thence 500′ west of and parallel to Road 29-70 to the intersection of 29-70 and S. C. Hwy. 9; thence 2000′ perpendicular and north of S. C. Hwy. 9 and continuing parallel to said Hwy. to a point 2000′ west of Road 29-36; thence 2000′ west of and parallel to Road 29-36 to the intersection of Road 29-36 and Road 29-180; thence proceeding eastward to a point 2000′ north of the intersection of Road 29-36 and Road 29-180; thence 1 mile north of and parallel to S. C. Hwy. 9 to a point 1 mile west of S. C. Hwy. 522, thence 1 mile west of and parallel to S. C. Hwy. 522 northward to the centerline of Road 29-229; thence 2000′ north of and perpendicular to Road 29-229; thence running northeast and parallel to Road 29-229 to the interesection of Road 29-229 and S. C. Hwy. 522; thence north to a point 2000′ north of Road 29-328; thence 2000′ north of and parallel to Road 29-328 to a point 500′ west of S. C. 29-28, this point being on the Tradesville Water District boundary; thence leaving the Dixie Water District boundary and running in a northwesterly direction with the Tradesville Water District boundary 500′ west of

and parallel to S. C. 29-28 to the interesection of the centerline of S. C. 29-51; thence proceeding due north approximately one mile to the N. C. State line; thence leaving the Tradesville Water District boundary and running westerly on the N. C. State line to the bend near Cureton Cemetery; thence northerly on the N. C. State line for 0.9 of a mile; thence westerly to the head of Waxhaw Creek; thence with the center of Waxhaw Creek downstream to the Catawba River; thence with Catawba River downstream to the point of beginning.

SECTION 3. To be managed by board of directors.—The district shall be operated and managed by a board of directors to be known as the "Gills Creek Water District Board of Lancaster County" which shall constitute the governing body of the district. The board shall consist of five resident electors of the area who shall be appointed by the Governor, upon the recommendation of a majority of the Lancaster County Legislative Delegation, including the Senator. The delegation shall recommend only such persons as were nominated at a meeting of the residents of the area and certified to the delegation by the chairman and secretary of the meeting. The meeting shall be advertised in a local newspaper for at least one week, giving the time and place of the meeting. The original appointments shall be for a term of two years for two appointees, for four years for two appointees, and for six years for one appointee. All terms after the initial appointments shall be for six years. All appointees shall hold office until their successors shall have been appointed and qualify. The initial terms of office shall begin as of the effective date of this act. Any vacancy shall be filled in like manner as the original appointment for the unexpired portion of the term. Immediately after appointment, the board shall meet and organize by the election of one of its members as chairman, one as vice chairman, one as secretary and one as treasurer. The office of the secretary and treasurer may be combined in the discretion of the board.

SECTION 4. Powers and duties.—The district, acting through its governing body, is hereby vested with all such powers as may be necessary or incidental to carry out its purposes, functions and responsibilities including, but without limitation, the following:

(1) To have perpetual succession.

(2) To sue and be sued.

(3) To adopt, use and alter a corporate seal.

(4) To define a quorum for meetings.

(5) To maintain a principal office.

(6) To make bylaws for the management and regulation of its affairs.

(7) To build, construct, maintain and operate ditches, tunnels, culverts, flumes, conduits, mains, pipes, dikes, dams and reservoirs.

(8) To build, construct, maintain and operate distribution systems for the distribution of water for domestic or industrial use.

(9) To acquire and operate any type of machinery, appliances or appurtenances, necessary or useful in constructing, operating and maintaining the system.

(10) To contract for or otherwise acquire a supply of water and sell water for industrial or domestic use.

(11) To prescribe rates and regulations under which such water shall be sold for industrial and domestic use.

(12) To enter into contracts of long duration for the sale of water with persons, private corporations, municipal corporations, or public bodies or agencies.

(13) To prescribe such regulations as it shall deem necessary to protect from pollution all water in its pipes, tanks, reservoirs, distribution systems or elsewhere within its system.

(14) To make contracts of all sorts and to execute all instruments necessary or convenient for the carrying on of the business of the district.

(15) To acquire, purchase, hold, use, lease, mortgage, sell, transfer and dispose of any property, real, personal or mixed, or any interest therein.

(16) To make use of county and state highway rights-of-way in which to lay pipes and lines in such manner and under such conditions as the appropriate officials in charge of such rights-of-way shall approve.

(17) Subject always to the limitations of Section 4, Article VIII of the Constitution of the State, to make use of all the streets and public ways of an incorporated municipality for the purpose of laying pipes and lines.

(18) To alter and change county and state highways wherever necessary to construct the system under such conditions as the appropriate officials in charge of such highways shall approve.

(19) To exercise the power of eminent domain for any corporate function. The power of eminent domain may be exercised through any procedure prescribed by Sections 25-101 through 25-140 and 33-121 through 33-148, Code of Laws of South Carolina, 1962, as now or hereafter constituted, it being the intent of this provision that further amendments and modifications of these code provisions shall be deemed to amend and revise correspondingly the powers granted by this paragraph.

(20) To appoint officers, agents, employees and servants, to prescribe the duties of such, to fix their compensation and to determine if and to what extent they shall be bonded for the faithful performance of their duties.

(21) To make contracts for construction and other services; *provided,* that such contracts shall be let on competitive bidding and shall be awarded to the lowest responsible bidder.

(22) To borrow money and to make and issue negotiable bonds, notes and other evidences of indebtedness, payable from all or any part of the revenues derived from the operation of its system. The sums borrowed may be those needed to pay all costs incident to the construction and establishment of the system, and any extensions, additions and improvements thereto, including engineering costs, legal costs, construction costs; the sum needed to pay interest during the period prior to which the system, or any extension, addition or improvement thereof, shall be fully in operation; such sum as is needed to supply working capital to place the system in operation; and all other expenses of any sort that the district may incur in establishing, extending or enlarging the system. Neither the full faith and credit of the State of South Carolina, nor Lancaster County, shall be pledged for the payment of the principal and interest of the obligations, and there shall be on the face of each obligation a statement, plainly worded, to that effect. Neither the members of the board, nor any person signing the obligations, shall be personally liable thereon. To the end that a convenient procedure for borrowing money may be prescribed, the district shall be fully empowered to avail itself of all powers granted by Sections 59-361 through 59-415 and 59-651 through 59-682, of the Code of Laws of South Carolina, 1962, as now or hereafter constituted, it being the intent of this provision that further amendments and modifications of the code provisions shall be deemed to amend and revise correspondingly the powers granted by this paragraph. In exercising the power conferred upon the dis-

trict by such code provisions, the district may make or omit all pledges and covenants authorized by any provision thereof, and may confer upon the holders of its securities all rights and liens authorized by law. Notwithstanding contrary provisions in the Code the district may:

(a) Disregard any provision requiring that bonds have serial maturities, and issue bonds in such form and with such maturities as the district shall determine.

(b) Provide that its bonds, notes or other evidences of indebtedness be payable, both as to principal and interest, from the net revenues derived from the operation of its system, as such net revenues may be defined by the district.

(c) Covenant and agree that upon it being adjudged in default as to the payment of any installment of principal or interest upon any obligation issued by it, or in default as to the performance of any covenant or understaking made by it, in such event the principal of all obligations of such issue may be declared forthwith due and payable, notwithstanding that any of them may not have then matured.

(d) Confer upon a corporation trustee the power to make disposition of the proceeds from all borrowings and of all revenues derived from the operation of the system, in accordance with the resolutions adopted by the authority as an incident to the issuance of any notes, bonds or other types of securities.

(e) Dispose of bonds, notes or other evidences of indebtedness at public or private sale, and upon such terms and conditions as it shall approve.

(f) Make provision for the redemption of any obligations issued by it prior to their stated maturity, with or without premium, and on such terms and conditions as the district shall approve.

(g) Covenant and agree that any cushion fund established to further secure the payment of the principal and interest of any obligation shall be in a fixed amount.

(h) Covenant and agree that no free service will be furnished to any person, municipal corporation, or any subdivision or division of the State.

(i) Prescribe the procedure, if any, by which the terms of the contract with the holders of its obligations may be amended, the number of obligations whose holders must consent thereto, and the manner in which consent shall be given.

(j) Prescribe the events of default and the terms and conditions upon which all or any obligations shall become or may be declared

due before maturity and the terms and conditions upon which such declarations and their consequences may be waived.

(23) To extend its system or systems, within Lancaster County, beyond the defined limits of the district to provide services to those living outside the district and outside any incorporated municipality when, in the discretion of the board, it is feasible and practicable so to do, in which case any person or agency receiving such service shall be subject to the same rules, regulations and requirements concerning services being received from the district as persons residing within the district. The board may, in its discretion, establish rates and charges higher than those within the district for the extension of its system and the provision of services beyond the limits of the district.

SECTION 5. Rates not to be regulated.—The rate charged for services furnished by the system, as constructed, improved, enlarged and extended, shall not be subject to supervision or regulation by any state bureau, board, commission or like instrumentality or agency thereof.

SECTION 6. Exempt from taxes.—(1) Bonds, notes or other evidences of indebtedness issued pursuant to Section 4 (22) of this act and interest payable thereon are hereby exempted from any and all State, county, municipal and other taxation whatsoever under the laws of this State, and it shall be plainly stated on the face of each such obligation as follows: "The principal of and interest on this (bond), (note or other evidence of indebtedness) are exempted from any and all State, county, municipal and other taxation whatsoever under the laws of the State of South Carolina."

(2) All property of the district shall be exempt from all ad valorem taxes levied by the State, county or any municipality, division, subdivision or agency thereof, direct or indirect.

SECTION 7. Fiscal year, audit and annual report.—The district shall conduct its affairs on the fiscal year basis employed by the State. As shortly after the close of its fiscal year as may be practicable, an audit of its affairs shall be made by certified public accountants of good standing, to be designated by the district. Copies of such audits incorporated into an annual report of the district shall be filed with the Auditor and Treasurer of Lancaster County, and with the Secretary of the Legislative Delegation of Lancaster County.

SECTION 8. Penalties for unlawful acts.—It shall be unlawful for any person to wilfully injure or destroy, or in any manner hurt, damage, tamper with, or impair the system of the district, or any part thereof, or any machinery, apparatus or equipment of the district, or to pollute the water in any part of its system, or to obtain water therefrom except in accordance with the regulations promulgated by the district. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not less than ten dollars nor more than one hundred dollars, or be imprisoned for not more than thirty days, in the discretion of the court, and shall be further liable to pay all damages suffered by the district.

SECTION 9. Public entities may purchase water.—The municipalities of Lancaster County and all public bodies and public agencies now or hereafter operating water distribution systems in Lancaster County shall be fully empowered to enter into contracts to buy water from the district. These contracts shall extend over such period of time and shall contain such terms and conditions as shall be mutually agreeable to the district and to the contracting municipality, public body or public agency.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of May, 1965.

(R415, S301) **No. 296**

An Act To Amend The Code Of Laws Of South Carolina, 1962, By Adding Section 14-3666.1, So As To Authorize The Board Of Rural Fire Control Of York County To Employ An Executive Director.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 14-3666.1 added—executive director.—The Code of Laws of South Carolina, 1962, is amended by adding Section 14-3666.1 to read as follows:

"Section 14-3666.1. The Board may employ an executive director who shall have such duties and responsibilities as may be assigned him by the Board."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of May, 1965.

(R417, S307) No. 297

An Act To Amend Section 32-1630 (1) (d), Code Of Laws Of South Carolina, 1962, Providing For The Right Of Appeal By The State Dairy Commission In The Matter Of Enforcement Of The Regulation Of Milk And Milk Products, So As To Provide That The Appeal Shall Be Heard On The Record; To Amend Section 32-1635 Of The Code Of 1962, Authorizing The State Dairy Commission To Fix Minimum Prices For Milk And Milk Products To Be Paid By Distributors In Controlled Markets, So As To Authorize The Commission To Further Regulate The Sale Of Milk And Milk Products On The Wholesale, Distributor And Producer Levels; To Amend Section 32-1640.2 Of The Code Of 1962, As Amended, Which Authorizes The State Dairy Commission To Assess a Penalty In Lieu Of Revoking Or Suspending A License, So As To Increase The Penalty; To Amend Section 32-1640.3 Of The Code Of 1962, Concerning Unfair And Illegal Practices In The Distribution Of Milk Or Milk Products, So As To Delete Therefrom Certain References To Selling, Advertising Or Offering To Sell, And Discrimination In Price; To Amend Section 32-1640.5 Of The Code Of 1962, Prohibiting Sale Below Cost, So As To Further Regulate Sale Of Milk Or Milk Products; And To Repeal Sections 32-1640.7 And 32-1640.8 Of The Code Of 1962, Providing An Effective Time Of Certain Laws Affecting The Milk Industry, And Providing For The Computation Of Costs Or Doing Business In Stores Handling Milk And Milk Products, And Subsection (4) Of Section 32-1640.3 Of The Code Of 1962.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 32-1630 (1) (d) amended—appeals.—Section 32-1630 (1) (d) of the Code of 1962 is amended by striking on line 4 the following: "and on such additional evidence as the parties offer," so that when so amended Section 32-1630 (1) (d) shall read as follows:

"(d) Any person as defined in this article aggrieved by an order or act of the Commission shall have the right of appeal to the court of common pleas. The appeal to the court shall be heard and determined on the record made before the Commission, subject to the rules of evidence as enforced in other legal proceedings. Notice of intention to appeal from such order of the Commission shall be in writing and served upon some officer of the Commission at its office in the city of Columbia within ten days from the service of such order upon the party appealing."

SECTION 2. Section 32-1635 amended—Dairy Commission may designate controlled markets and fix price of milk—public hearings.—Section 32-1635 of the Code of 1962 is amended by striking the entire section and inserting in lieu thereof the following:

"Section 32-1635 (1) The Commission shall have the authority to define and designate any market or markets in the State as a controlled market, to fix the minimum prices to be paid by distributors to producers for the various classes of milk in such market and to fix the minimum unit prices to be charged to or received from a wholesale consumer in such market by a distributor or sub-distributor for milk and milk products; *provided,* however, the Commission shall not exercise such authority until a public hearing has been held at which all interested parties are afforded an opportunity to be heard, after first publishing in at least five newspapers having general circulation in the State reasonable notice of the hearing, and the Commission determines that the exercise of such authority will be necessary in order to provide a constant and adequate supply of fresh, pure, wholesome milk for the inhabitants of this State, the Legislature having found such an objective to be inseparably interrelated to the public interest and obtainable only, with a reasonable degree of certainty, by preventing the economic destruction of the Grade A dairy farmers in South Carolina whose economic survival is incumbent upon a stable milk market in this State.

(2) When the Commission determines that the exercise of such authority is necessary in order to achieve the foregoing purpose, it shall ascertain, by such investigations and proofs as conditions permit, and fix temporarily the minimum producer prices and the minimum wholesale prices for the controlled market as provided by this section.

(3) The Commission then shall investigate the costs to a representative number of producers of producing Grade A milk and the

costs to a representative number of distributors of receiving, processing, distributing and marketing Grade A milk and, on the basis of such costs, fix by official order the minimum producer prices and minimum wholesale prices for the controlled market as provided by this section, and such prices shall prevail until such order is revised on the basis of new or additional costs data or until such order is rescinded by the Commission.

(4) The Commission, in considering the costs and in determining the minimum prices to be fixed on the basis thereof shall take into consideration the primary economic factors and conditions which materially affect the milk industry.

(a) In determining the minimum producer prices to be fixed pursuant to this section, the Commission shall take into consideration the average of all ordinary and necessary costs and expenses incurred by a representative number of producers in the production of Grade A milk, including but not limited to: (1) the cost incurred by such producers in maintaining dairy animals in a healthy condition and in complying with all other sanitary requirements imposed by this State in the production of milk, and (2) the fixed charges and operating expenses incurred by such producers in the ownership, control, management, and operations of their dairy herds; and also the amount necessary to yield a reasonable rate of return in relation to the average cost of the investment by such producers in the production of Grade A milk.

(b) In determining the minimum wholesale prices to be charged by distributors, the Commission shall take into consideration the average of all ordinary and necessary expenses incurred by a representative number of distributors in the ownership, control, financing, management, and operations pertaining to the receiving, processing, distributing and marketing of Grade A milk, including but not limited to: (1) the purchase price paid or incurred and the delivery expenses paid or incurred by such distributors in the purchase and receipt of milk, and (2) the fixed charges and operating expenses incurred by such distributors in the processing, distributing and marketing of milk; and also the amount necessary to yield a reasonable rate of return in relation to the cost of the investment by such distributors in the business of receiving, processing, distributing and marketing of Grade A milk. In the event such distribu-

tors have borrowed funds during the period used in the computation of the fixed charges and operating expenses, the interest rate in such computations shall be six per cent per annum.

(5) The Commission may on its own motion call a public hearing as provided by this section, and shall call such hearing upon the written application of the producers supplying, in the judgment of the Commission, a substantial portion of the milk consumed in any market or markets in the State."

SECTION 3. Section 32-1640.2 amended—revocation of licenses —penalties.—Section 32-1640.2 of the Code of 1962, as amended, is further amended by striking on line 12 the following: "in the amount of ten dollars per day for each and every day during which the violation occurs and continues, each day's violation of any law, order, rule or regulation constituting a separate offense." and inserting in lieu thereof the following: "in the amount of two hundred dollars per day for each and every violation of any law, order, rule or regulation, and each such violation shall constitute a separate offense and each day such violation continues shall constitute a separate offense." When so amended, the section shall read as follows:

"Section 32-1640.2. The Commission may, upon due notice and opportunity for hearing, suspend, revoke or decline to renew a license issued pursuant to the provisions of Section 32-1637 to 32-1640.1 for any market or markets when it has been determined by the Commission that a licensee has either directly or indirectly, in the conduct of his business within such market or markets, violated any of the provisions of this article or any rule, regulation or order issued pursuant thereto, after being given an opportunity to comply with such provisions. *Provided,* however, that the State Dairy Commission may in its discretion, in lieu of revoking or suspending a license, assess a penalty against the offending licensee for such violation, after notice and hearing as above set out, in the amount of two hundred dollars per day for each and every violation of any law, order, rule or regulation, and each such violation shall constitute a separate offense and each day such violation continues shall constitute a separate offense. If such penalty is assessed and be not paid, the State Dairy Commission is authorized to revoke the license and to apply to any court of competent jurisdiction for the enforcement of the collection of the penalty. Any funds collected hereunder shall be paid as are assessments collected under Section 32-1631."

SECTION 4. Section 32-1640.3 amended—subsections deleted.—Section 32-1640.3 of the Code of 1962 is amended by striking therefrom in subsection (3) subsection (a), subsection (b) and subsection (c).

SECTION 5. Section 32-1640.5 amended—stores may not sell one brand of milk less than other brands.—Section 32-1640.5 of the Code of 1962 is amended by striking the entire section and inserting in lieu thereof the following:

"Section 32-1640.5. (1) No store shall either directly or indirectly sell, advertise or offer for sale any brand of milk or milk product for less than the price at which all competing brands offered for sale by such store are sold, advertised or offered for sale, or discriminate in any way in the terms or conditions of sale against any competing brands of milk and milk products offered for sale by such store; *provided,* however, any difference in the unit price at which competing brands of milk and milk products are sold, advertised or offered for sale by a store which represents the difference between the minimum wholesale unit price establishd by the Commission and any higher net unit cost to such store of such product shall not constitute a violation of this section.

(2) No store shall purchase for, consign to or otherwise make available any products covered by this article to another store for the purpose of or with the intent or effect of aiding or abetting such store in a violation of this article or for the purpose of aiding such store in circumventing an order issued by the Commission pursuant to the provisions of this article."

SECTION 6. Sections 32-1640.7, 32-1640.8 and subsection (4) of Section 32-1640.3 repealed.—Sections 32-1640.7 and 32-1640.8 of the Code of 1962 are repealed and subsection (4) of Section 32-1640.3 of the Code of 1962.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of May, 1965.

(R418, S327)

No. 298

An Act To Amend The Code Of Laws Of South Carolina, 1962, By Adding Section 47-252.3, To Permit The Town Of Summerville In Dorchester County To Levy An Annual Tax Not Exceeding Seventy-five Mills; and To Amend Section 47-245, Code Of Laws Of South Carolina, 1962, Relating To Tax Levies In The Towns Of Summerville And Winnsboro, So As To Remove The Town Of Summerville From The Provisions.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 47-252.3 added—Town of Summerville may levy annual tax.—Section 47-252.3 is added to the 1962 Code to read as follows:

"Section 47-252.3. The town council of the town of Summerville may levy an annual tax of not exceeding seventy-five mills on all real estate lying within the corporate limits of the town and on all personal property within the town, including bonds and stocks of banks, insurance companies and other corporations and the real estate of churches and school associations from which the churches and school associations draw a revenue or which is intended to be rented out, except such as is exempt from taxation under the Constitution or laws of this State. The tax shall be levied by the town authorities on the property within the corporate limits as assessed for taxation for county and State purposes. In addition to the annual taxes, the town council may levy further annual taxes as may be necessary to pay the interest on all outstanding bonds issued by the town and to create the necessary sinking funds for the redemption of the bonds at their respective maturities."

SECTION 2. Section 47-245 amended—Town of Winnsboro may levy annual tax.—Section 47-245, Code of Laws Of South Carolina, 1962, is amended by striking on line one "councils of the towns of Summerville and" and inserting "town council of the town of", and by striking on line four "their" and inserting "its". When so amended, the section shall read as follows:

"Section 47-245. The town council of the town of Winnsboro may levy, as provided in this article, an annual tax not exceeding three and one half per cent of the assessed value of all taxable property lying within its corporate limits."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of May, 1965.

(R420, H1437)

No. 299

An Act To Amend Item (3) Of Section 65-225, Item (4) Of Section 65-226 And Section 65-365, Code Of Laws Of South Carolina, 1962, Relating To Income Taxation, So As To Eliminate The Income Test With Respect To An Exemption For A Dependent Who Is An Enrolled Student, To Exempt Employees' Credit Unions, And To Provide That The Tax Commission May Waive Certain Penalties; To Amend Section 65-1107, Code Of Laws Of South Carolina, 1962, Relating To Gasoline Taxes, So As To Bar Certain Claims For Refunds For Gasoline Purchased For Watercraft; To Amend Sections 65-223.1, 65-259(8), 65-275, 65-453, 65-455, 65-465, 65-481 And 65-547, Code Of Laws of South Carolina, 1962, As Amended, And Act 944 Of 1964, All Of Which Relate To Taxation, So As To Adopt Amendments And Applicable Regulations As Of December 31, 1964, Relating To Certain Federal Internal Revenue Code Sections Adopted By Reference; And to Repeal Item (44) Of Section 65-1522, Code Of Laws Of South Carolina, 1962, Relating To Tax Exemptions For Building And Loan Associations.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Item (3) of Section 65-225 amended—income tax exemption for certain dependents.—Item (3) of Section 65-225, Code of Laws of South Carolina, 1962, is amended by adding at the end thereof the following: *"Provided,* that in the case of a dependent regularly enrolled in an accredited school or college the taxable income test shall not apply. No exemption shall be allowed under this item for any dependent who has made a joint return with his spouse for the taxable year beginning in the calendar year in which the taxable year of the taxpayer begins." The item when amended shall read as follows:

"(3) In the case of an individual dependent upon and receiving his chief support from another individual, provided that the dependent is under twenty-one years of age or is incapable of self-

support because mentally or physically defective or that the dependent is regularly enrolled in an accredited school or college, an exemption of eight hundred dollars to the individual furnishing the dependent's chief support. In the event that a child of the taxpayer is born or has died during the taxpayer's taxable year, the full exemption shall be allowed. No exemption shall be allowed if the dependent receives taxable income in excess of eight hundred dollars during the taxable period. *Provided,* that in the case of a dependent regularly enrolled in an accredited school or college the taxable income test shall not apply. No exemption shall be allowed under this item for any dependent who has made a joint return with his spouse for the taxable year beginning in the calendar year in which the taxable year of the taxpayer begins."

This section shall be effective for taxable years beginning on or after January 1, 1965.

SECTION 2. Item (4) of Section 65-226 amended—income tax exemptions for certain organizations.—Item (4) of Section 65-226, Code of Laws of South Carolina, 1962, is amended by inserting between "leagues," and "chambers" on line one "employees' credit unions". The item when amended shall read as follows:

"(4) Business leagues, employees' credit unions, chambers of commerce, textile expositions or boards of trade, not organized for profit and no part of the net earnings of which inures to the benefit of any private stockholder or individual;".

This section shall be effective with respect to taxable periods beginning on or after January 1, 1963.

SECTION 3. Section 65-365, amended—Commission may waive or reduce certain penalties.—Section 65-365, Code of Laws of South Carolina, 1962, is amended by changing the comma to a period after "taxes" on line five and deleting the following on lines five and six: "except that the penalty imposed by Section 65-320, shall not be so waived." The section when amended shall read as follows:

"Section 65-365. The Commission may, upon making a record of its reason therefor, waive or reduce any of the penalties or interest imposed under the provisions of this Title pertaining to income taxes, withholding of income taxes, and estimated income taxes."

This section shall be effective for taxable years beginning on or after January 1, 1964.

SECTION 4. Section 65-1107 amended—application for tax refund on certain gasoline.—Section 65-1107, Code of Laws of South Carolina, 1962, is amended by inserting between "purposes" and "shall" on line two "or for use in motorboats or other watercraft". The section when amended shall read as follows:

"Section 65-1107. Any person claiming a refund of tax on gasoline purchased for agricultural purposes or for use in motorboats or other watercraft shall make application therefor to the Commission on proper forms within six months from the date such gasoline was purchased, and no refund shall be allowed on any gasoline which has not been used or consumed by the purchaser thereof before the filing of the application provided for in this section."

This section shall be effective with respect to gasoline purchased after June 30, 1965.

SECTION 5. Sections 65-223.1, 65-259(8), 65-275, 65-453, 65-455, 65-465, 65-481 and 65-547 and Act 944 of 1964 amended—dates changed.—Sections 65-223.1, 65-259(8), 65-275, 65-453, 65-455, 65-465, 65-481 and 65-547, Code of Laws of South Carolina, 1962, as amended, are further amended by striking the date "1963" in each of these sections and inserting in lieu thereof the date "1964". Act No. 944 of 1964 is amended by striking "the effective date of this act" where it appears on line four, and on lines six and seven, in Section 1, and inserting in lieu thereof "December 31, 1964".

The section shall be effective for taxable years beginning on or after January 1, 1965.

SECTION 6. Item (44) of Section 65-1522 repealed.—Item (44) of Section 65-1522, Code of Laws of South Carolina, 1962, is repealed.

This section shall be effective for property returns for taxation on or after January 1, 1965.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of May, 1965.

(R422, H1520)

No. 300

An Act To Amend The Code Of Laws Of South Carolina, 1962, By Adding Section 16-359.4, So As To Afford A Defense In Some Circumstances To Actions Brought By Reason Of Having Been Delayed By A Merchant Or Merchant's Employee Or Agent To Investigate The Ownership Of Merchandise.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 16-359.4 added—defense for merchants detaining suspected shoplifters.—The Code of Laws of South Carolina, 1962, is amended by adding Section 16-359.4 to read as follows:

"Section 16-359.4. In any action brought by reason of having been delayed by a merchant or merchant's employee or agent on or near the premises of a mercantile establishment for the purpose of investigation concerning the ownership of any merchandise, it shall be a defense to such action if: (1) the person was delayed in a reasonable manner and for a reasonable time to permit such investigation, and (2) reasonable cause existed to believe that the person delayed had committed the crime of shoplifting."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of May, 1965.

(R426, H1496)

No. 301

An Act To Amend Section 47-728, Code Of Laws Of South Carolina, 1962, Relating To Examinations Of Applications For Positions In Fire And Police Departments, So As To Provide That Applicants For Positions In Fire Departments Within This Article Must Be At Least Eighteen Years Of Age.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 47-728 added—examination of applicants for positions in fire or police departments.—Section 47-728, Code of Laws of South Carolina, 1962, is amended by adding at the end thereof the following: *"Provided,* as to age, applicants for positions in fire departments within this article shall have a minimum age of eighteen years." The section, when amended, shall read as follows:

"Section 47-728. All applicants for position in the fire or police departments shall be subjected to an examination by the commission which shall be competitive and free to all resident persons possessing the right of suffrage and meeting the requirements prescribed by the commission, subject to reasonable limitations as to residence, age, health, education and moral character. Such examinations shall be practical in their nature and shall relate to those matters which fairly test the relative capacity and fitness of the persons examined to discharge the duties of the position to which they seek to be appointed. But no such applicants shall be examined concerning their political or religious opinions or affiliations. In the conduct of such examinations the commission may call to its assistance the aid of such persons as it may desire either from within or without the personnel of the department affected.

With the approval of the city council special and temporary policemen or firemen may be appointed by the commission to serve at its pleasure, such employees not to be subject to the provisions of this section having reference to competitive examinations. And employees performing strictly clerical work for either department or the commission, if there be any such, shall likewise not be subject to the provisions of this section having reference to competitive examinations, and such employees shall also be appointed with the approval of the city council and hold office at the pleasure of the commission. *Provided,* as to age, applicants for positions in fire departments within this Article shall have a minimum age of eighteen years."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of May, 1965.

(R427, H1542)

No. 302

An Act Designating The Division Of General Services Of The State Budget And Control Board As The State Agency For Surplus Property And Prescribing Its Powers, Duties And Functions.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Division of General Services of State Budget and Control Board to be State Agency for surplus property.—(a) The

Division of General Services of the State Budget and Control Board is authorized:

(1) to acquire from the United States of America under and in conformance with the provisions of Section 203 (j) of the Federal Property and Administrative Services Act of 1949, as amended, hereafter referred to as the "act", such property, including equipment, materials, books, or other supplies under the control of any department or agency of the United States of America as may be usable and necessary for purposes of education, public health or civil defense, including research for any such purpose, and for such other purposes as may now or hereafter be authorized by federal law;

(2) to warehouse such property; and

(3) to distribute such property within the State to tax-supported medical institutions, hospitals, clinics, health centers, school systems, schools, colleges and universities within the State, to other nonprofit medical institutions, hospitals, clinics, health centers, schools, colleges and universities which are exempt from taxation under Section 501 (c) (3) of the United States Internal Revenue Code of 1954, to civil defense organizations of the State, or political subdivisions and instrumentalities thereof, which are established pursuant to State law, and to such other types of institutions or activities as may now be or hereafter become eligible under federal law to acquire such property.

(b) The Division of General Services is authorized to receive applications from eligible health and educational institutions for the acquisition of federal surplus real property, investigate the applications, obtain expression of views respecting the applications from the appropriate health or educational authorities of the State, make recommendations regarding the need of such applicant for the property, the merits of its proposed program of utilization, the suitability of the property for the purposes, and otherwise assist in the processing of the applications for acquisition of real and related personal property of the United States under Section 203 (k) of the act.

(c) For the purpose of executing its authority under this act, the Division of General Services is authorized to adopt, amend or rescind rules and regulations and prescribe such requirements as may be deemed necessary; and take such other action as is deemed necessary and suitable, in the administration of this act, to assure maximum utilization by and benefit to health, educational and civil

defense institutions and organizations within the State from property distributed under this act.

(d) The Budget and Control Board is authorized to appoint advisory boards or committees, and to employ such personnel and prescribe their duties as are deemed necessary and suitable for the administration of this act.

(e) The Director of the Division of General Services is authorized to make such certifications, take such action and enter into such contracts, agreements and undertakings for and in the name of the State (including cooperative agreements with any federal agencies providing for utilization of property and facilities by and exchange between them of personnel and services without reimbursement), require such reports and make such investigations as may be required by law or regulation of the United States of America in connection with the receipt, warehousing and distribution of personal property received by him from the United States of America.

(f) The Division of General Services is authorized to act as clearing house of information for the public and private nonprofit institutions, organizations and agencies referred to in subparagraph (a) of Section 1 of this act and other institutions eligible to acquire federal surplus personal property, to locate both real and personal property available for acquisition from the United States of America, to ascertain the terms and conditions under which such property may be obtained, to receive requests from the above-mentioned institutions, organizations and agencies and to transmit to them all available information in reference to such property, and to aid and assist such institutions, organizations and agencies in every way possible in the consummation of acquisitions or transactions hereunder.

(g) The Division of General Services, in the administration of this act, shall cooperate to the fullest extent consistent with the provisions of the act, with the departments or agencies of the United States of America and shall file a State plan of operation, operate in accordance therewith, and take such action as may be necessary to meet the minimum standards prescribed in accordance with the act, and make such reports in such form and containing such information as the United States of America or any of its departments or agencies may from time to time require, and it shall comply with the laws of the United States of America and the rules and regulations of any of the departments or agencies of the United States of America governing the allocation, transfer, use or accounting for, property donable or donated to the State.

SECTION 2. Powers may be delegated.—The Director of the Division of General Services may delegate such power and authority as he deems reasonable and proper for the effective administration of this act. The State Budget and Control Board may require bond of any person in the employ of the Division of General Services receiving or distributing property from the United States under authority of this act.

SECTION 3. Certain fees to be limited.—Any charges made or fees assessed by the Division of General Services for the acquisition, warehousing, distribution or transfer of any property of the United States of America for educational, public health or civil defense purposes, including research for any such purpose, or for any purpose which may now be or hereafter become eligible under the act, shall be limited to those reasonably related to the costs of care and handling in respect to its acquisition, receipt, warehousing, distribution or transfer.

SECTION 4. Not applicable to certain property.—The provisions of this act shall not apply to the acquisition of property acquired by agencies of the State under the priorities established by Section 308 (b), Title 23, United States Code, Annotated.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of May, 1965.

(R428, H1589)

No. 303

An Act To Amend Sections 71-322, 71-323 And 71-326, Code Of Laws Of South Carolina, 1962, Relating To The Charleston County Public Welfare Board, So As To Further Provide Therefor; And To Repeal Sections 71-331, 71-332, 71-333, 71-333.1, 71-333.2 And 71-333.3, Code Of Laws Of South Carolina, 1962, Relating To Powers And Finances Of The Board.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 71-322 amended—vacancies.—Section 71-322, Code of Laws of South Carolina, 1962, is amended by striking the last sentence. The section when amended shall read as follows:

"Section 71-322. In the event of a vacancy caused by death, resignation, removal or otherwise, a successor shall be elected in the manner provided in Section 71-321, to serve for the remainder of the unexpired term."

SECTION 2. Section 71-323 amended—meetings—compensation—officers.—Section 71-323, Code of Laws of South Carolina, 1962, is amended by striking it out and inserting in lieu thereof the following:

"Section 71-323. The board shall meet at least once each month and shall receive such salary as shall be fixed by the governing body of the county. From their number the board shall elect a chairman and a secretary."

SECTION 3. Section 71-326 amended—powers and duties.—Section 71-326, Code of Laws of South Carolina, 1962, is amended on lines four and five by striking "social security and old age pension laws and the handling of all", on line nine by striking "health" on line ten by striking "safety and" and on line eleven by striking "health, safety and". The section when amended shall read as follows:

"Section 71-326. The board shall have the following duties, power and authority, to wit:

(1) It shall be and constitute the board contemplated in and provided by chapter 1 of this Title to administer in Charleston County all matters of direct welfare and relief provided in said chapter for said county, including the expenditure of all funds provided to be expended by the county for such welfare and relief in the county; and

(2) It shall be charged with the duty of coordinating all public welfare agencies and supervising the carrying out of all public welfare measures, including provisions for hospitalization and treatment of the poor, indigent and aged in the county and care and disposition of persons of unsound mind, and any other health or welfare activity for which funds of the county shall have been appropriated and provided."

SECTION 4. Sections 71-331 through 71-333.3 repealed.—Sections 71-331, 71-332, 71-333, 71-333.1, 71-333.2 and 71-333.3, Code of Laws of South Carolina, 1962, are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of May, 1965.

(R430, H1662)

No. 304

An Act To Amend Section 15-275, Code Of Laws Of South Carolina, 1962, Relating To Terms Of Court In The Seventh Judicial Circuit, So As To Further Provide For The Terms Of The Court Of Common Pleas For Cherokee And Union Counties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Item (1) of Section 15-275 amended—terms of court for Cherokee County.—Item (1) of Section 15-275, Code of Laws of South Carolina, 1962, is amended on line three by inserting between the word "weeks," and the word "on" "on the second Monday of May for one week". The item when amended shall read as follows:

"(1) *Cherokee County.*—The court of common pleas for Cherokee County shall be held at Gaffney on the first Monday of March for two weeks, on the second Monday of May for one week, on the first Monday of July for one week and on the first Monday of November for two weeks. The court of general sessions for Cherokee County shall be held at Gaffney on the third Monday of March for one week, on the second Monday of July for one week and on the third Monday of November for two weeks."

SECTION 2. Item (3) of Section 15-275 amended—terms of court for Union County.—Item (3) of Section 15-275, Code of Laws of South Carolina, 1962, is amended on line three by striking "two weeks" and inserting "one week." The item when amended shall read as follows:

"(3) *Union County.*—The court of common pleas for Union County shall be held at Union on the second Monday of February for two weeks, on the first Monday of May for one week, on the first Monday of September for two weeks and on the first Monday of December for one week. The court of general sessions shall be held at Union on the fourth Monday of February for one week, on the third Monday of May for one week, on the third Monday of September for one week and on the second Monday of December for one week."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of May, 1965.

(R431, H1676) **No. 305**

An Act To Amend Sections 65-3405.4, As Amended, 65-3405.8, 65-3405.9, As Amended, And 65-3405.12, As Amended, Code Of Laws Of South Carolina, 1962, Relating To The Powers And Duties Of The Charleston County Board Of Assessors, Appeals From The Tax Assessor And Limitation On Increased Revenue, So As To Further Provide Therefor, And To Prevent The Implementation Of The County Reassessment Program Until Authorized By The Legislature.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 65-3405.4 amended—powers and duties.—Section 65-3405.4, Code of Laws of South Carolina, 1962, as amended, is further amended by adding "and" at the end of Item (6), by striking the following:

"(7) Until 1965 assess only property not heretofore on the tax books, or property whose value may have changed by reason of renovation, new construction, destruction, or type of use;

(8) Not reassess any taxable property in the county except as authorized in subsection (7) until 1965, in and for which year the assessments authorized by this article shall become effective; and"

and by striking "(9)" on line thirty-seven and inserting "(7)". The section when amended shall read as follows:

"Section 65-3405.4. The board shall:

(1) Within ninety days of its appointment recommend to the county council of Charleston County for employment a private commercial advisory firm experienced and technically trained in scientifically based assessment standards, which firm shall prepare and recommend to the board assessment standards relating to the taxable property in the county;

(2) Within ninety days after its appointment recommend to the county council for employment a competent firm experienced in mapping for appraisal and assessment purposes both urban and rural property, which firm shall prepare tax maps showing all of the real property in Charleston County;

(3) Within ninety days after the completion of the assessment standards referred to in subsection (1) hereof, recommend to the county council for employment a competent firm experienced in appraising and assessing both urban and rural property to do such evaluation and appraising as may be necessary to provide an equal

assessment of all real property within the county; *provided,* that the same firm, if properly qualified, may be employed to render all of the services mentioned in subsections (1), (2) and (3) hereof;

(4) Cooperate with the State Tax Commission, and see that the firm or firms employed under subsections (1), (2) and (3) hereof do likewise, in evaluating and assessing any taxable property in the county which the Tax Commission is authorized to assess;

(5) Employ a tax assessor or administrator who shall be specially trained and experienced in tax assessing techniques, principles of taxation and the latest standards used in evaluating property for tax purposes;

(6) Take steps to see that all necessary measures are taken to place all taxable property on the tax books; and

(7) Have authority to promulgate rules and regulations for the enforcement of this article."

SECTION 2. Section 65-3405.8 amended—appeals.—Section 65-3405.8, Code Of Laws Of South Carolina, 1962, is amended by adding at the end thereof the following: "Such appeal to the board of assessors acting as the board of appeals shall be taken in the following manner: Any property owner or his agent, feeling aggrieved by any decision or action of the tax assessor or administrator in assessing the property of such owner for the then current year may, on or before June first of such year, appeal from such decision or action to the board of appeals by filing on or before June first of such year with the board of appeals a written notice of appeal, setting forth and specifying the grounds of appeal, and by delivering to the tax assessor or administrator a copy of such notice of appeal. Within ten days after receipt by the tax assessor or administrator of the copy of such notice of appeal, the tax assessor or administrator shall transmit to the appellant and to the board of appeals a copy of all records pertaining to the assessment under appeal. Upon receipt of such notice and records the board of appeals shall fix a time and place for the hearing of the appeal and shall give written notice thereof to the appellant and to the tax assessor or administrator not less than five days in advance of the day fixed for the hearing. At such hearing both the appellant and the tax assessor or administrator shall have the right to be heard and the board of appeals may inspect the property under consideration and receive any other relevant evidence offered by any interested party. Upon the hearing of such appeal the board of appeals shall either confirm, increase or reduce the

valuation or assessment complained of, as may be required by the evidence before it and the justice of the case. All appeals from the board of appeals shall be to the South Carolina Tax Commission. Any party to any matter decided by the board of appeals feeling aggrieved by the decision of the board of appeals may, within ten days after notice thereof, appeal therefrom to the Commission by filing with the Commission a written notice of appeal, setting forth the decision or order appealed from and specifying the grounds of such appeal and by delivering a copy of such notice of appeal to the chairman of the board of appeals within such ten-day period. Within thirty days after receipt by the chairman of the board of appeals of the copy of such notice of appeal, the board of appeals shall transmit to the Commission a certified copy of the testimony and proceedings at the hearing and of the decision or order appealed from. Thereupon the Commission shall fix a time and place for the hearing of such appeal and shall give notice thereof to the appellant and to the board of appeals not less than ten days in advance of the day fixed for the hearing. A representative of the board of appeals shall attend every such hearing and the board may, if it so desires, be heard in support of its order or decision. Upon the hearing of such appeal, the Commission shall either increase, confirm or reduce the valuation and assessment complained of." The section when amended shall read as follows:

"Section 65-3405.8. After January 1, 1963, appeals from the tax assessor or administrator shall be made to the board of tax assessors, acting as the board of appeals; but the provisions of this section shall not remove the right of any property owner, believing himself aggrieved, to appeal from the action of the board of assessors to the State Tax Commission for such further relief as may be available to him under the general law of the State. Such appeal to the board of assessors acting as the board of appeals shall be taken in the following manner: Any property owner or his agent, feeling aggrieved by any decision or action of the tax assessor or administrator in assessing the property of such owner for the then current year may, on or before June first of such year, appeal from such decision or action to the board of appeals by filing on or before June first of such year with the board of appeals a written notice of appeal, setting forth and specifying the grounds of appeal, and by delivering to the tax assessor or administrator a copy of such notice of appeal. Within ten days after receipt by the tax assessor or administrator of the copy of such notice of appeal, the tax assessor or administrator shall transmit to

the appellant and to the board of appeals a copy of all records pertaining to the assessment under appeal. Upon receipt of such notice and records the board of appeals shall fix a time and place for the hearing of the appeal and shall give written notice thereof to the appellant and to the tax assessor or administrator not less than five days in advance of the day fixed for the hearing. At such hearing both the appellant and the tax assessor or administrator shall have the right to be heard and the board of appeals may inspect the property under consideration and receive any other relevant evidence offered by any interested party. Upon the hearing of such appeal the board of appeals shall either confirm, increase or reduce the valuation or assessment complained of, as may be required by the evidence before it and the justice of the case. All appeals from the board of appeals shall be to the South Carolina Tax Commission. Any party to any matter decided by the board of appeals feeling aggrieved by the decision of the board of appeals may, within ten days after notice thereof, appeal therefrom to the Commission by filing with the Commission a written notice of appeal, setting forth the decision or order appealed from and specifying the grounds of such appeal and by delivering a copy of such notice of appeal to the chairman of the board of appeals within such ten-day period. Within thirty days after receipt by the chairman of the board of appeals of the copy of such notice of appeal, the board of appeals shall transmit to the Commission a certified copy of the testimony and proceedings at the hearing and of the decision or order appealed from. Thereupon the Commission shall fix a time and place for the hearing of such appeal and shall give notice thereof to the appellant and to the board of appeals not less than ten days in advance of the day fixed for the hearing. A representative of the board of appeals shall attend every such hearing and the board may, if it so desires, be heard in support of its order or decision. Upon the hearing of such appeal, the Commission shall either increase, confirm or reduce the valuation and assessment complained of."

SECTION 3. Section 65-3405.9 amended—limit on increased revenue.—Section 65-3405.9, Code of Laws of South Carolina, 1962, as amended, is further amended to read as follows:

"Section 65-3405.9. On completion of the reassessment, as provided for in this article, the total gross revenue for which tax notices are issued in the year in which the reassessment program is put into effect shall not exceed by more than 4.7 per cent the total revenue for

which tax notices shall be issued by the county auditor for the year immediately preceding.

All appropriating bodies in Charleston County shall adjust their millage to comply so that their total revenue shall not exceed in the year in which the reassessment program is put into effect by more than 4.7 percent the total gross revenue for which tax notices shall be issued in the year immediately preceding.

The foregoing limit on increased revenue for the year in which the reassessment program is put into effect shall not apply to levies necessary to pay for the cost of the reassessment and mapping program provided for in this article; nor shall it apply to bond issue levies effective in the year in which the reassessment program is put into effect; nor shall it apply to any special levy approved by the voters or directed by an act of the State legislature; nor shall it apply to levies for school purposes which are subject to the approval of the Charleston County Legislative Delegation."

SECTION 4. Section 65-3405.12 amended—further legislation required.—Section 65-3405.12, Code of Laws of South Carolina, 1962, as amended, is further amended by striking in its entirety so that when amended it shall read as follows:

"Section 65-3405.12. The assessing power and appellate procedures provided by this article shall not be used to effect a piecemeal reassessment of Charleston County. Until the year in which a reassessment program, as contemplated by Section 65-3405.4, is completed and put into effect in Charleston County, assessments shall be adjusted by the board of appeals only for the purpose of equalizing the assessment upon property with the assessments existing upon similar properties in the vicinity.

The reassessment program provided by this article shall not be given any effect until authorized by further legislation and all maps, records and other documents prepared or used in connection with such reassessment program shall be preserved by the board."

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of May, 1965.

(R432, H1680)

No. 306

An Act To Amend Section 47-1692, Code Of Laws Of South Carolina, 1962, Limiting The Term For Which Extra Policemen On Special Occasions May Serve In The City Of Spartanburg, So As To Increase The Length Of The Term.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 47-1692 amended—extra policemen may be appointed.—Section 47-1692 of the Code of 1962 is amended by striking it and inserting:

"Section 47-1692. The Mayor of Spartanburg may appoint extra or auxiliary policemen for special occasions or special duties for a term not exceeding twelve months."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of May, 1965.

(R433, S213)

No. 307

An Act Making It Unlawful To Catch Fish With Certain Devices On The Combahee River From U. S. Highway No. 17 Seaward, And Providing Penalties For Violations.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Unlawful to catch fish with certain devices on Combahee River.—It shall be unlawful to catch fish on the Combahee River from U. S. Highway No. 17 seaward using traps, trotlines, set hooks or nets.

SECTION 2. Penalties.—Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not less than twenty-five dollars nor more than one hundred dollars, or be imprisoned for not more than thirty days.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of May, 1965.

(R434, S214) **No. 308**

An Act To Provide For The Transfer Of Stock In The Custody Of Clearing Corporations.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Definitions.—For the purposes of this act:

"Clearing corporation" means a corporation, all of the capital stock of which is held by or for a national securities exchange registered under the Securities Exchange Act of 1934, as amended.

"Custodian" means a national bank, or a bank or trust company organized under or subject to the banking law, acting as custodian for a clearing corporation.

SECTION 2. Transfer of stock in custody of clearing corporations.—Notwithstanding any other provision of law, if a certificate or instrument evidencing shares of stock, or rights to purchase or subscribe to shares of stock, is in the custody of a clearing corporation or of a custodian subject to the instructions of a clearing corporation, title to any such certificate or instrument or to any interest therein and to the shares or rights evidenced by such certificate, instrument or interest may be transferred by making entries on the books of the clearing corporation reducing the account of the transferor by the number of shares or rights transferred and increasing the account of the transferee by such number of shares or rights. A transfer of title so made shall have the same effect as if the transferor had delivered to the transferee a certificate or instrument evidencing the shares or rights transferred, duly indorsed in blank.

SECTION 3. Pledges of such stock.—A valid pledge may be made of any such certificate or instrument or of any interest therein and of the shares or rights evidenced by such certificate, instrument or interest by

(a) the giving by the pledgor to the clearing corporation notice of the pledge and instructions that, until receipt by the clearing corporation of notice to the contrary from the pledgee, such certificate, instrument or interest therein and the shares or rights evidenced by such certificate, instrument or interest, shall be held by the clearing corporation (either directly or through the custodian) for the account of the pledgee, and

(b) by the making of entries on the books of the clearing corporation reducing the account of the pledgor by the number of shares

or rights pledged and increasing the account of the pledgee by such number of shares or rights. A pledge so made shall for all purposes be as valid and effective as one made by transfer of actual possession of a certificate or instrument evidencing the shares or rights pledged from the pledgor to the pledgee.

The provisions of this act shall be applicable although the charter or articles of incorporation or bylaws of the corporation, any shares or rights which are transferred or pledged as herein provided, and any certificate or instrument evidencing such shares or rights, in whole or in part, provide that such shares or rights shall be transferable only on the books of the corporation or shall be registered by a registrar or transferred by a transfer agent.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of May, 1965.

(R435, S276) **No. 309**

An Act To Authorize The State Of South Carolina, Its Agencies And Instrumentalities, Including Counties, School Districts, Municipalities, Special Purpose Districts And Authorities, To Effect The Refunding Of Outstanding Bonds Prior To Their Maturity Or Redemption Dates, And To Prescribe The Terms And Conditions Under Which Such Refunding May Be Effected.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Definitions.—For the purposes of this act the following terms shall mean:

(1) *Advanced refunding,* the refunding of outstanding bonds through the authorizations of this act and other statutes herein referred to, more than six months prior to the dates on which outstanding bonds mature or may be called for payment and redemption.

(2) *Corporate trustee,* any incorporated bank organized under the laws of any of the states of the United States or any national banking corporation organized under the laws of the United States maintaining an established and active trust department which shall agree to perform the functions imposed upon it by the provisions of this act; but, unless such bank or national bank shall maintain offices

in South Carolina, it shall have unimpaired capital and surplus of not less than twenty-five million dollars.

(3) *Governing board,* the board, commission, municipal council, board of trustees, authority, or any other public body upon which is devolved by law the administrative and executive duties with respect to any public agency.

(4) *Outstanding bonds,* all general obligation bonds, with or without additional security or bonds payable solely from any revenue-producing project, now or hereafter issued pursuant to laws now or hereafter enacted.

(5) *Public agency,* the State of South Carolina, its agencies and institutions, counties, all incorporated municipalities, school districts, special purpose districts, authorities and every other agency or political entity of the State, which now or hereafter shall be given the power to incur debt in the form of general obligation bonds, with or without additional security, or bonds payable solely from any revenue-producing project now or hereafter issued pursuant to law.

(6) *Refunding bonds,* any bonds issued for the purpose of providing all or any part of the moneys required to effect the payment upon maturity, or upon redemption, of any outstanding bonds, and shall include all sums required to meet the payment of principal, redemption premiums and such interest on outstanding bonds as may be required to be funded in order to effect the advanced refunding of outstanding bonds.

SECTION 2. Findings of General Assembly.—(1) The General Assembly has taken note of the fact that many public agencies in South Carolina now have outstanding bonds (and may in the future have outstanding bonds) bearing rates of interest higher than rates which the public agencies might now or hereafter be required to pay, and that as a consequence the public agencies could effect savings if a method be provided by which the outstanding bonds could be refinanced in advance of the dates on which they mature or may be called for payment and redemption.

(2) The General Assembly takes further note of the fact that Article 3, Chapter 12, Title 1, Code of Laws of South Carolina, 1962, provides a statutory vehicle for the refunding of general obligation bonds of any incorporated city, town, school district, county or other political division or subdivision of the State. The article provides that refunding bonds may not be issued sooner than one year from the

date on which the outstanding bonds mature or may be called for redemption.

(3) The General Assembly takes further note that Chapter 6, Title 59, Code of Laws of South Carolina, 1962, provides a means by which certain governmental units therein defined as "municipalities" may effect the refunding of bonds payable from the revenues of any revenue-producing project (therein defined as "enterprises"). This chapter permits refunding at any time.

(4) The General Assembly further finds that the situation relating to the time at which refunding of outstanding bonds may be undertaken is affected by decisions of the Supreme Court of South Carolina, viz.: *Kalber* vs. *Stokes* (1940), 194 S. C. 339, 9 S. E. 2d 785, and *Robertson* vs. *Tillman,* 39 S. C. 298, 17 S. E. 678, in which the court was required to pass upon the right of a municipal corporation to refund general obligations in advance of the time of their maturity or redemption date.

SECTION 3. Advanced refunding of bonds to be permitted.—On the basis of the existing situation, the General Assembly has determined to provide a means by which all public agencies shall be permitted to refund outstanding bonds through an advanced refunding and to prescribe the terms and conditions under which such an advanced refunding shall be permitted.

SECTION 4. Public agencies may refund outstanding bonds.—Any public agency may utilize the provisions of either Article 3, Chapter 12, Title 1, or Chapter 6, Title 59, Code of Laws of South Carolina, 1962, to effect the refunding of any of its outstanding bonds, and the provisions shall extend to, and are hereby made available to, governing boards of all public agencies, both for the purpose of refunding outstanding bonds and effecting advanced refunding pursuant to this act. To the extent that they may be required in order to effect an advanced refunding, refunding bonds may be issued in such amounts as shall be required to provide for the payment of (a) all outstanding bonds maturing subsequent to the date as of which refunding bonds shall be issued, and (b) such further amount as shall be required to effect the payment of any redemption premium of the outstanding bonds, the amount required to fund interest on the outstanding bonds to the date fixed for redemption in the plan of advancing refunding (if the funding of interest on the outstanding bonds shall prove necessary), and any ex-

penses incurred by the governing board in connection with the issuance of refunding bonds. *Provided,* that if any governing board shall find it necessary to effect improvements at the same time as it shall undertake an advanced refunding with refunding bonds issued pursuant to Chapter 6, Title 59, Code of Laws of South Carolina, 1962, refunding bonds in addition to those otherwise required may be issued to such extent as may be necessary to meet the costs of such improvements.

SECTION 5. When refunding may take place.—Advanced refunding pursuant to this act may be effected at any time, but not more than five years prior to the date on which outstanding bonds mature or can be made subject to redemption in accordance with their tenor and terms, under the conditions prescribed by this act.

SECTION 6. Public agencies to have certain findings.—Prior to any advanced refunding the governing board of any public agency which shall have outstanding bonds shall find:

(a) that a savings can be effected through an advanced refunding;

(b) that through the means of investing the proceeds of any refunding bonds in investments permitted by this act the effective interest to be earned thereon shall equal or exceed the interest to be paid upon its refunding bonds; and

(c) in the event any governing board shall undertake to effect an advanced refunding pursuant to Chapter 6, Title 59, Code of Laws of South Carolina, 1962, and at the same time borrow for the purpose of constructing improvements to its revenue-producing project, it shall likewise have found that such improvements are then necessary and can be accomplished with the moneys provided by the proceeds of the refunding bonds issued pursuant to Chapter 6, Title 59, Code of Laws of South Carolina, 1962, for the purpose of constructing such improvements.

SECTION 7. Payment and redemption of outstanding bonds.—The governing board shall irrevocably bind itself to call for payment and redemption all outstanding bonds for which any advanced refunding shall occur, on the occasion fixed for their earliest redemption, and to give due notice thereof in accordance with the terms and provisions of the outstanding bonds.

SECTION 8. Proceeds—corporate trustee.—On the delivery of any refunding bonds issued pursuant to this act, the principal pro-

ceeds thereof (less any accrued interest and less the proceeds of that portion of any refunding bonds issued pursuant to Chapter 6, Title 59, Code of Laws of South Carolina, 1962, for improvements) shall be deposited with a corporate trustee and held by it under a written trust agreement and in a special trust account. It shall be the duty of the corporate trustee to keep such proceeds invested and reinvested, to the extent that it shall be practical, in obligations of the United States or any agency thereof, with maturities not later than the date fixed for the retirement of the outstanding bonds, and to apply, in the manner prescribed by the agreement, such income to the payment of interest to become due on the refunding bonds. On the appropriate occasions, prescribed by the agreement, the corporate trustee shall remit to the paying agent of the outstanding bonds so much of the proceeds of the trust account as shall be required to effect the payment of the principal, interest and redemption premium of such outstanding bonds. Any balance that may remain in the hands of the corporate trustee after the redemption of the outstanding bonds shall be disposed of as provided in the agreement.

SECTION 9. Outstanding bonds to be retired prior to refunding.—Until the retirement of the outstanding bonds, no advanced refunding of any refunding bonds issued pursuant to the provisions of this act shall be undertaken.

SECTION 10. Saving clause.—If it be held that the application of this act to the refunding of general obligation bonds is invalid, such holding shall not disturb the right of governing boards to effect advanced refundings of bonds payable from the revenues of any revenue-producing project.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of May, 1965.

(R436, S305)

No. 310

An Act Making It Unlawful To Start Fires In Forestry District No. 29 (Lancaster County) Except Under Certain Conditions, And Providing Penalties For Violations.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Unlawful to start fires in Forestry District 29.—It shall be unlawful for any owner or lessee of land or any employee of any such owner or lessee or other person to start, or cause to be started, any fire in any woodlands, brushlands, grasslands, ditch-banks, or hedgerows or in any debris, leaves or other flammable material adjacent thereto in Forestry District No. 29 (Lancaster County), except under the following conditions:

(a) Proper notification shall be given to the State Forester, or his duly authorized representative or other persons designated by the State Forester. Such notice shall contain all information required by the State Forester or his representative.

(b) Such persons shall have cleared around such area and have immediately available sufficient equipment and personnel to adequately secure such fire and prevent its spread.

(c) Such person starting such burning shall supervise carefully any such fire started and have it under control prior to leaving the area.

SECTION 2. Permission of landowner required.—A lessee of any land, or any employee of any landowner or lessee of land, or other person, must receive prior authorization from the landowner to conduct such burning, in addition to complying with the other provisions of this act.

SECTION 3. Exceptions.—The provisions of this act shall not apply to fires which may be started within the corporate limits of any town or city, nor to fires started on rights of way of railroads by their duly authorized employees to remove fire hazards unless the State Forester, or his representative, after investigation shall notify such railroad that its practices are disapproved on account of the failure to exercise such safeguards against the spread of fire.

SECTION 4. No burning during emergencies.—No burning shall be carried out during any period which the Governor has declared that an emergency exists in connection with forest fires.

SECTION 5. State Forester may prohibit starting of fires.—The State Forester may direct at any time, when deemed necessary in the interest of public safety, that fire or fires covered by this act not be started.

SECTION 6. Penalties.—Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not less than ten dollars nor more than one hundred dollars or imprisoned for not less than ten days nor more than thirty days. For any second or subsequent offense, a fine of not less than twenty-five dollars nor more than five hundred dollars or imprisonment for not more than one year may be imposed in the discretion of the court.

SECTION 7. Time effective.—This act shall take effect upon its approval by the Governor.

Approved the 20th day of May, 1965.

(R437, S318) **No. 311**

An Act Providing For A Referendum In The Town Of Westminster In Oconee County To Ascertain The Wishes Of The Qualified Electors As To Whether Or Not The Commissioners Of Public Works Should Be Prohibited From Incurring Obligations Or Making Expenditures Without Approval Of The Town Council.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Town of Westminster—referendum concerning obligations made by Commissioner of Public Works.—The Town Council of the Town of Westminster shall cause an election to be held to ascertain the wishes of the qualified electors residing within the municipal limits as to whether or not the commissioners of public works should be prohibited from incurring obligations or making expenditures without approval of the council. The election shall be conducted by the Oconee County Board of Election Commissioners under the provisions of law applicable to the holding of general elections and shall be publicized as council may deem proper. Should a majority of those voting in the election vote in favor of the proposal then the Commissioners of Public Works of

the Town of Westminster shall not incur any obligations or make any expenditures of funds without approval of a majority of the Town Council.

SECTION 2. Not to affect prior obligations.—The provisions of this act shall in no manner affect the validity of any bond issue or other obligation heretofore made or incurred.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of May, 1965.

(R438, H1367) **No. 312**

An Act To Provide For A Five Dollar License Fee For Certain Motor Vehicles Used In Rescue Work.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Special license fee for certain vehicles used in rescue work.—The State Highway Department shall issue a license upon the payment of a five dollar fee to any chartered volunteer rescue league in this State for any motor vehicle owned and operated by it solely for rescue work without charge.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of May, 1965

(R439, H1436) **No. 313**

An Act To Amend Item (2) Of Section 15-286, Code Of Laws Of South Carolina, 1962, Relating To Terms Of Court In Beaufort County, So As To Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Item (2) of Section 15-286 amended—terms of court for Beaufort County.—Item (2) of Section 15-286, Code of Laws of South Carolina, 1962, is amended on line three by striking

between the words "the" and "Monday" the word "first" and inserting "fourth" and on line nine by striking between the words "the" and "Monday" the word "fourth" and inserting "first". The item when amended shall read as follows:

"(2) *Beaufort County.*—The courts of general sessions for Beaufort County shall be held at Beaufort on the first Monday in March, on the fourth Monday in June and on the fourth Monday in November, in each case for one week. The courts of common pleas for the county shall be held at Beaufort on the third Monday in January for one week, on the third Monday of March for two weeks, on the fourth Monday in June as soon as the court of general sessions shall have concluded during the remainder of the week, on the second Monday in September for one week, and on the first Monday in November for one week."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of May, 1965.

(R440, H1573)

No. 314

An Act To Create The Darlington County Economic Opportunity Commission And To Prescribe Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Darlington County Economic Opportunity Commission created.—There is hereby created the Darlington County Economic Opportunity Commission.

SECTION 2. To be corporate body.—The commission is hereby declared to be a body politic and corporate and shall exercise and enjoy all the rights and privileges of such.

SECTION 3. Members and compensation.—The commission shall be composed of a membership not to exceed twenty-five, four of whom shall be members of the municipal councils of the municipalities of the county, ex officio, with the right to vote, all of whom shall be appointed by the Governor upon the recommendation of the legislative delegation, including the Senator. The members of the commission shall serve without compensation, but shall be al-

lowed the usual per diem, mileage and subsistence as provided by law for members of boards, commissions and committees.

SECTION 4. Terms and vacancies.—The terms of office of the appointive members of the commission shall be for two years or until their successors are appointed and qualify. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor. Of the initial appointees, half shall serve for one year.

SECTION 5. Officers.—Immediately after the appointment of the commission, it shall organize by electing one of its members as chairman, a second as vice chairman and a third as secretary and treasurer.

SECTION 6. Powers and duties.—The commission shall be responsible for the improvement of communication and cooperation among existing and future programs and the administration of one or more new programs designed to improve the health, education, welfare, housing or employment of the residents of Darlington County. To this end the commission shall be empowered as follows:

(a) to sue and be sued;

(b) to adopt, use and alter a corporate seal;

(c) to make bylaws for the management and regulation of its affairs;

(d) to appoint agents, employees and servants, to prescribe their duties, to fix their compensation, to determine if and to what extent they shall be bonded for the faithful performance of their duties;

(e) to undertake the improvement of communication and cooperation among existing and future programs administered by federal, state, county and municipal governmental agencies and private non-profit organizations designed to improve the health, education, welfare, housing or employment of the county residents and, with the consent of such agencies and organizations, to coordinate same;

(f) to enter into contracts and agreements for performance of its programs and duties with federal, state, county and municipal governmental agencies and subdivisions thereof, and private non-profit organizations;

(g) to accept and receive funds for the performance of its duties in the administration of its programs from such governmental agen-

cies and subdivisions thereof and private nonprofit organizations, as well as any other sources;

(h) to designate an executive committee from among the members of the commission to which may be delegated one or more duties and responsibilities of the commission and, from time to time, to appoint one or more sub-committees composed of residents of Darlington County to advise and assist in the administration of its program and the performance of its duties;

(i) to maintain adequate accounts and records of its activities, receipts and expenses in conformance with requirements of any contract or agreement with any federal, state, county or municipal governmental agency, or subdivision thereof, or any private nonprofit organization; and

(j) to acquire, own or hold in trust, preserve, restore, maintain or lease property, facilities and equipment reasonably necessary for the performance of its duties and the administration of its programs.

SECTION 7. Exempt from taxes.—All property of the commission shall be exempt from all ad valorem taxes levied by Darlington County or any municipality therein, or any division, subdivision or agency thereof, directly or indirectly.

SECTION 8. Fiscal year and audit.—The commission shall conduct its affairs on the fiscal year basis employed by Darlington County. As shortly after the close of its fiscal year as may be practicable an audit of its affairs shall be made by a certified public accountant in good standing, to be designated by the commission. Copies of such audit, incorporated into an annual report of the commission, shall be filed with the Darlington County Legislative Delegation and the County Commission.

SECTION 9. Contracts not to be impaired.—The right to alter, amend or rescind this act is hereby expressly reserved and disclosed, but no such amendment or repeal shall operate to impair the operation of any contract otherwise made by the authority pursuant to any power conferred by this act.

SECTION 10. When action may be taken.—Any action required of the commission may be taken at any regular or special meeting, and at such meeting a majority of the members shall constitute a quorum.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of May, 1965.

(R441, H1612) **No. 315**

An Act To Amend Item (2) Of Section 15-266, Code Of Laws Of South Carolina, 1962, As Amended, Relating To The Terms Of Courts Of Common Pleas In The Fourth Judicial Circuit, So As To Provide For An Additional Term In Darlington County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Item (2) of Section 15-266 amended—terms of court in Fourth Judicial Circuit.—Item (2) of Section 15-266, Code of Laws of South Carolina, 1962, as amended, is further amended by inserting after the word "weeks" on line ten the words "the fourth Monday in April," and by inserting after the word "May" on line ten the words "the third Monday in July,". The item when amended shall read as follows:

"(2) Courts of Common Pleas—At Chesterfield for Chesterfield County on the first Monday in January, the third Monday in February, the third Monday in April, the fourth Monday in May, the first Monday in September, the fourth Monday in October and the fourth Monday in November; at Bennettsville for Marlboro County on the third Monday in January, the first Monday in March, the first Monday in April, the third Monday in May, the second Monday in October and the first Monday in December; at Darlington for Darlington County on the fourth Monday in January, the third Monday in March for two weeks, the fourth Monday in April, the second Monday in May, the third Monday in July, the third Monday in September and the second Monday in December; at Dillon for Dillon County on the fourth Monday in February, the first Monday in May, the second Monday in September, the third Monday in October and the third Monday in November."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of May, 1965.

(R442, H1626) **No. 316**

An Act To Delete The Town Of Clemson In Pickens County From The Provisions Of Section 47-244, Code Of Laws Of South Carolina, 1962, Relating To Certain Municipal Tax Limitations.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 47-244 not applicable to Town of Clemson.—The provisions of Section 47-244, Code of Laws of South Carolina, 1962, shall not apply to the Town of Clemson in Pickens County.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of May, 1965.

(R443, H1651) **No. 317**

An Act To Amend Section 51-395.4, Code Of Laws Of South Carolina, 1962, Relating To Powers Of The Rural Recreational Commission Of Richland County, So As To Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 51-395.4 amended—item (15) added—additional powers.—Section 51-395.4, Code of Laws of South Carolina, 1962, is amended by changing the period at the end of Item (14) to a semicolon and by adding Item (15) to read as follows:

"(15) To levy upon all taxable property in the District a tax of not exceeding one-half of a mill per annum to meet the cost of operating and maintaining parks, playgrounds and recreational facilities under its jurisdiction. Such tax shall be levied by the county auditor and collected by the county treasurer who shall keep it in a separate fund applicable solely to the purpose for which it is levied." When amended, the section shall read as follows:

"Section 51-395.4. The Commission shall be empowered as follows:

(1) To sue and be sued;

(2) To adopt, use and alter a corporate seal;

(3) To define a quorum for its meetings;

(4) To make bylaws for the management and regulation of its affairs;

(5) To acquire, by gift, purchase, or through the exercise of eminent domain, lands or interest thereon whereupon to establish physical education and recreation facilities, including tennis courts, baseball diamonds, football fields, basketball courts, swimming pools, other facilities of like nature and general recreational facilities;

(6) To expend all moneys which it shall receive, including such portion of any bonds sold pursuant to this article as may be set apart to the Commission for its functions;

(7) To acquire and operate any apparatus or equipment useful in the operation of its facilities;

(8) To prescribe rules and regulations governing the use of the facilities;

(9) To fix rates and charges for the use of any facilities which might be established through the proceeds of the sale of revenue bonds;

(10) To make contracts and to execute instruments that are necessary or convenient for the discharge of the functions of the Commission;

(11) To make contracts for construction and other services;

(12) To appoint agents, employees and servants, to prescribe their duties, to fix their compensation, to determine if and to what extent they shall be bonded for the faithful performance of their duties;

(13) To issue and sell general obligation bonds of the District in the amount of not exceeding two hundred thousand dollars to obtain funds for the acquisition of any facilities which the Commission is empowered to operate in such manner as provided by this article;

(14) To issue and sell revenue bonds of the District payable from the revenue of any facility which the Commission shall be empowered to construct and operate for the purpose of obtaining funds for the acquisition and maintenance of facilities which the Commission is empowered to operate;

(15) To levy upon all taxable property in the District a tax of not exceeding one-half of a mill per annum to meet the cost of operating and maintaining parks, playgrounds and recreational facilities under its jurisdiction. Such tax shall be levied by the county auditor and collected by the county treasurer who shall keep it in a separate fund applicable solely to the purpose for which it is levied."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of May, 1965.

(R447, H1300)

No. 318

An Act To Provide For A Referendum As To The Creation Of The Cherokee Springs Fire District In Spartanburg County And To Provide For Its Creation In The Event Of A Favorable Vote; To Provide For A Board Of Fire Control For The District; To Prescribe The Powers, Duties And Membership Of The Board; To Provide For Tax Levies; And To Provide Penalties For Certain Violations.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Referendum concerning creation of Cherokee Springs Fire District.—The Spartanburg County Commissioners of Election shall conduct a referendum on the second Tuesday in June 1965 or as soon thereafter as is feasible, to ascertain the wishes of the qualified electors residing within the proposed Cherokee Springs Fire District on the question of whether or not they favor the establishment of a rural fire district and favor the necessary tax levy.

The commissioners of election shall publish the information relating to the referendum once a week for two consecutive weeks in a newspaper having general circulation in the area.

SECTION 2. Ballots.—The commissioners of election shall have printed a sufficient number of ballots and have them distributed at the voting places. The ballots shall read as follows: "Do you favor establishing and operating a rural fire department in the Cherokee Springs area and the necessary tax levy?

In favor of ☐
Opposed to ☐

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the words 'In favor of' and those voting against the question shall deposit a ballot with a check or cross mark in the square after the words 'Opposed to.' "

Only those persons otherwise qualified and owning taxable property within the area shall be entitled to vote. The officials responsible for

canvassing the results of the election shall, within ten days, certify such results to the clerk of court of the county and to the Secretary of State.

SECTION 3. District established if election favorable.—If a majority of those voting in the election vote in favor of the creation of the fire district, there is hereby established the Cherokee Springs Fire District in Spartanburg County encompassed within the lines as shown on plat recorded in the R. M. C. Office of Spartanburg County in Plat Book 50, at Page 67.

SECTION 4. Board—appointment and terms — petition for election of.—After the creation of the Cherokee Springs Fire District, there is established a board of fire control for the district, to be composed of seven members who shall be appointed by the Governor upon the recommendation of a majority of the Spartanburg County Legislative Delegation. *Provided,* that of those first appointed, three members shall serve for terms of two years each, two members shall serve for terms of four years each, and two members shall serve for terms of six years each, or until their successors are appointed and qualify. The members of the board shall serve without pay and shall file annually a report with the Spartanburg County Board of Control, not later than the first of November of each year, showing all activities and disbursements made by the board during the year.

If at least twenty per cent of the qualified electors residing in the district petition the commissioners of election by the first of September of any general election year, the commissioners shall call an election to be held at the following general election for the purpose of electing a member to the board to succeed the members whose terms will expire during such year, for a six-year term. Thereafter, members shall be elected in each succeeding general election for terms of six years.

SECTION 5. Powers and duties.—The board shall have the following duties and responsibilities:

(a) To buy such fire-fighting equipment as the board deems necessary for the purpose of controlling fires within the money allocated or made available to the board for such purposes.

(b) To select the sites or places within the area where the fire-fighting equipment shall be kept.

(c) To provide and select the drivers and other volunteer firemen to man such equipment, who shall serve without compensation.

(d) To procure and supervise the training of the volunteer firemen selected to insure that the equipment shall be utilized for the best interest of the area.

(e) To be responsible for the upkeep, maintenance and repairs of the trucks and other fire-fighting equipment and to that end shall, as often as is deemed necessary, inspect such equipment.

(f) To promulgate such rules and regulations as it may deem proper and necessary to insure that the equipment is being used to the best advantage of the area.

(g) To construct, if necessary, buildings to house the equipment authorized herein.

(h) To borrow not exceeding twenty thousand dollars on such terms and for such a period as to the fire control board may seem most beneficial for the fire district in anticipation of taxes. The indebtedness shall be evidenced by a note issued by the members of the board and the county treasurer. The full faith, credit and taxing power of the Cherokee Springs Fire District is hereby irrevocably pledged for the payment of the indebtedness.

SECTION 6. Tax levy.—The Auditor and Treasurer of Spartanburg County are hereby directed to levy and collect a tax of not more than four mills, to be determined by the board of fire control, upon all taxable property of the district for the purpose of defraying the expenses incurred by the board. All monies collected from this levy shall be credited to the fire district.

SECTION 7. Supervision of equipment.—The fire chief or equivalent official of the truck company to which the equipment is assigned shall have complete supervision over its use and operation and it shall be his responsibility to insure that the equipment is readily available for use at all times.

SECTION 8. Members may enforce fire laws.—All members of the truck company of the district may direct and control traffic at the scene of any fire in the area of the county and enforce the laws of this State relating to the following of fire apparatus, the crossing of fire hose and interfering with firemen in the discharge of their duties in connection with a fire in a like manner as provided for the enforcement of such laws by peace officers.

SECTION 9. Unlawful acts—penalties.—It is unlawful to interfere with a member of a fire department in the discharge of his du-

ties in the district or to interfere with any fire apparatus used by the fire department in the district, and any person so offending shall be subject to a fine of not exceeding one hundred dollars or imprisonment for not exceeding thirty days.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of May, 1965.

(R448, H1347)

No. 319

An Act To Amend Section 3-601, Code Of Laws Of South Carolina, 1962, Relating To The Definition Of Concentrated Commercial Feeding Stuffs, So As To Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 3-601 amended—definition of "concentrated commercial feeding stuffs".—Section 3-601, Code of Laws of South Carolina, 1962, is amended by striking it out and inserting in lieu thereof the following:

"Section 3-601. The term "concentrated commercial feeding stuffs" shall include all feeds used for livestock and poultry, except (1) whole hays, straw, cottonseed hulls, corn stover, and ground corn cob and shuck; *provided,* raw and unprocessed fresh or frozen fish, beef, horse meat, poultry and by-products of these items, together with and including limestone and granite or similar substance, when they are not mixed with other materials, shall also be excepted, and (2) unmixed whole seeds or grains of cereals when not mixed with other materials and when not in such damaged condition as to be unfit for feed purposes as determined by inspection."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of May, 1965.

(R450, H1683)

No. 320

An Act To Amend Section 15-280, Code Of Laws Of South Carolina, 1962, As Amended, Relating To The Terms Of Circuit Courts In The Eleventh Judicial Circuit, So As To Further Provide For The Terms Of Court In Lexington And Saluda Counties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Subsection (2) of Section 15-280 amended—terms of court in Lexington County.—Subsection (2) of Section 15-280 of the 1962 Code is amended to read as follows:

"(2) *Lexington County.*—The court of general sessions for Lexington County shall be held at Lexington on the third Monday in January, the fourth Monday in May, and the Tuesday following the first Monday in September. The court of common pleas shall be held at Lexington on the third Monday in April, the third Monday in September, and the fourth Monday in November. Each of these terms shall be for three weeks."

SECTION 2. Subsection (4) of Section 15-280 amended—terms of court in Saluda County.—Subsection (4) of Section 15-280 of the 1962 Code is amended to read as follows:

"(4) *Saluda County.*—The court of general sessions in Saluda County shall be held at Saluda on the fourth Monday in February, the third Monday in May, and the third Monday in November. The court of common pleas shall be held at Saluda on the fourth Monday in March, immediately following the May term of general sessions court, and on the third Monday in November. Each of these terms shall be for one week."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of May, 1965.

(R451, H1690)

No. 321

An Act To Exempt The Abney Masonic Lodge No. 211 In Lancaster County From Taxation.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Property of Abney Masonic Lodge No. 211 exempt from taxes.—All property, both real and personal, of the Abney

Masonic Lodge No. 211 in Lancaster County shall be exempt from all county and municipal taxes.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of May, 1965.

(R453, S279) **No. 322**

An Act To Amend Section 32-911, Code Of Laws Of South Carolina, 1962, Relating To Definitions Of Mentally Defective Persons, So As To Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Item (2) of Section 32-911 amended—definitions.—Item (2) of Section 32-911 is amended by striking it out and inserting in lieu thereof the following:

"(2) *'Mentally defective person' or 'mentally deficient person' or 'mentally retarded person'* means a person who, because of inadequately developed intelligence, is significantly impaired in his ability to learn and to adapt to the demands of society."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 27th day of May, 1965.

(R454, S330) **No. 323**

An Act To Create The Spartanburg County Planning And Development Commission; To Provide For Its Membership, Powers And Duties; To Provide Funds For Its Operation; And To Repeal Article 34, Chapter 8, Of Title 14, Code Of Laws Of South Carolina, 1962, Relating To The Spartanburg County Planning And Development Commission.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Spartanburg County Planning and Development Commission created.—There is hereby created the Spartanburg

County Planning and Development Commission to promote and advance the agricultural, commercial and industrial development of the county, to study the total development within the territorial limits of Spartanburg County, to prepare plans which will provide the orderly and economical development of the county and submit these plans to appropriate Federal, State, County and municipal officials having jurisdiction in the county, and encourage execution of these plans. The Spartanburg County Planning Area, hereinafter referred to as the "Planning Area," shall comprise all of Spartanburg County, including both incorporated and unincorporated areas. The present members of the Spartanburg County Planning and Development Commission shall constitute the commission and they shall serve for the terms for which appointed. Succeeding commissioners shall be appointed by the Governor on the recommendation of a majority of the Spartanburg County Legislative Delegation for terms of four years and until their successors are appointed and qualify. Vacancies shall be filled by appointment by the Governor on the recommendation of a majority of the legislative delegation for the unexpired terms. The chairman shall be elected for a term of one year and may succeed himself.

SECTION 2. Powers and duties.—The Spartanburg County Planning and Development Commission shall have authority to purchase and accept title to, or lease or otherwise acquire, in the name of the county, lands, buildings, utilities and other related appurtenances for the promotion of agricultural, commercial and industrial development in the county. The commission shall have full authority to negotiate with any concern desiring to locate an agricultural, commercial or industrial establishment in Spartanburg County, and is hereby authorized to sell, lease, convey and pass title to any lands, buildings, utilities and other related appurtenances purchased by the commission for purposes provided by this act, at such price as may be set by the commission. The commission is further authorized to expend necessary funds in advertising and promoting those features of Spartanburg County considered most likely to accomplish the purposes of this act.

SECTION 3. Powers and duties further.—It is the purpose and intent of this act that the commission shall offer assistance in the coordination of the plans and programs of local agencies, study development trends and planning problems where there is a need for action on a metropolitan basis and work with other governmental

bodies within the county so as to arrive at solutions which serve the best interests of the Planning Area.

All action of the commission shall be designed to guide and accomplish a coordinated and harmonious development of the Planning Area on a continuous basis in accordance with present and future needs in an efficient and economical manner which will best promote the public health, safety, morals, order, convenience, prosperity and general welfare. Such development shall include adequate provision for traffic and transportation facilities, the promotion of safety from fire or other dangers, the prevention and correction of pollution of air and water, promotion of good civic design and arrangement, and the adequate provision of public utilities and other public requirements. The commission shall produce continuing plans for the Planning Area.

The commission shall have authority to:

(a) Prepare and from time to time revise, amend and add to a continuing plan or plans for the development of the Planning Area;

(b) Cooperate with and provide planning assistance to municipalities and other local governmental instrumentalities and planning agencies in the county. Such planning assistance shall be limited to surveys, land use studies, technical services and other planning assistance, and, whenever cooperation and assistance include the rendering of technical services, such services may be rendered free or in accordance with an agreement for reimbursement;

(c) Provide information to officials of departments, agencies and instrumentalities of State and local government, and to the public at large, in order to foster public awareness and understanding of the objectives of the commission's plans and to stimulate public interest and participation in the orderly development of the Planning Area;

(d) Hold public and private hearings and sponsor public meetings in any part of the county whenever it deems such hearings or meetings necessary or useful in the execution of its functions;

(e) Exercise all other powers necessary and proper for the discharge of its duties; and

(f) Appoint advisory committees from among citizens of the Planning Area to study any problems or to advise on any problems submitted by the commission.

SECTION 4. Powers and duties further.—The commission shall have the power, within the limits of funds appropriated or otherwise made available to it, to: (1) appoint such employees as it may deem

necessary for the execution of its duties; (2) contract with persons for special or technical services; and (3) contract with the State of South Carolina, or the Federal Government, or any agency or department thereof, for such services or grants as may be available from such agencies, and to carry out the provisions of such contracts. The commission is authorized to concur in any contracts or to enter into them as co-makers. The commission may accept and disburse in the performance of its functions any funds, grants and services made available by the Federal Government, the State Government, municipal governments within the Planning Area, or any private or civic source.

SECTION 5. Compensation.—Members of the commission shall receive a salary of one hundred dollars a year, and shall be reimbursed for reasonable traveling expenses from their usual place of business to the place of the meeting of the commission, and other expenses incurred in the performance of their duties as members of the commission.

SECTION 6. Acts of present commission validated.—All acts or actions of the present commission are hereby validated and shall continue in full force and effect.

SECTION 7. Article 34, Chapter 8, Title 14 of Code repealed.—Article 34, Chapter 8, of Title 14, Code of Laws of South Carolina, 1962, is hereby repealed.

SECTION 8. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 27th day of May, 1965.

(R455, S343)

No. 324

An Act To Create The Office Of Tax Assessor And Equalizer For Saluda County And To Provide For His Term Of Office, Salary, And Powers And Duties; To Establish An Assessment And Equalization System.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Office of Tax Assessor and Equalizer for Saluda County created.—There is hereby created the office of Tax Assessor

and Equalizer for Saluda County. He shall be commissioned by the Governor for a four-year term upon the recommendation of a majority of the legislative delegation, including the Senator. His salary shall be as provided in the annual county appropriations act, and he shall devote his full time to the duties of this office. Vacancies shall be filled as the original appointment for the unexpired term.

SECTION 2. Powers and duties.—The Tax Assessor and Equalizer shall:

(1) Seek for all real property in Saluda County not previously returned by the owners or agents thereof or not listed for taxation by the county auditor, and list it for taxation in the name of the owner or person to whom it is taxable;

(2) Make a preliminary assessment of the value of all real property in the county and enter it upon the returns, forms and lists furnished him by the county auditor for his consideration;

(3) Chart or map all property located within the county; and

(4) With the consent and approval of a majority of the legislative delegation, engage such personnel to assist him in his duties as he deems necessary, whose compensation shall be as provided in the annual county appropriations act.

SECTION 3. Assessments and reassessments subject to review.—All assessments and reassessments made by the tax assessor and equalizer shall be subject to review and revision by the Saluda County Board of Tax Appeals.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1965.

(R456, S344)

No. 325

An Act To Create The Board Of Tax Appeals For Saluda County And To Provide For Its Membership, Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Board of Tax Appeals created for Saluda County.—There is hereby created the Board of Tax Appeals for Saluda

County which shall be composed of seven members, to be appointed by the Governor upon the recommendation of a majority of the legislative delegation, including the Senator. The members shall serve for terms of two years and until their successors have been appointed and qualify. Any vacancies shall be filled for the unexpired portion of the term.

The members of the board shall receive no salary but shall be paid the per diem and mileage provided by law for boards, commissions and committees.

SECTION 2. Powers and duties.—The board shall review any actions or acts of the tax assessor and equalizer when so requested by a taxpayer and shall have the authority to confirm or modify any decision of the tax assessor and equalizer.

SECTION 3. Appeals.—Appeals may be taken from the board to the South Carolina Tax Commission.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 27th day of May, 1965.

(R458, S351) **No. 326**

An Act To Amend Section 59-540, Code Of Laws Of South Carolina, 1962, Relating To Municipalities Extending Water And Sewer Systems Beyond Their Limits, So As To Include Additional Municipalities.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 59-540 amended—certain municipalities may extend water and sewer systems beyond city limits.—Section 59-540, Code of Laws of South Carolina, 1962, is amended by striking on line two "three thousand five hundred" and inserting "four thousand". When so amended, the section shall read as follows:

"Section 59-540. Any municipal corporation in this State having a population of between three thousand and four thousand based upon the latest United States census is hereby authorized and empowered, through action of its town council, to extend its water or sewer disposal facilities, any one or both, to any persons or cor-

porations without the corporate limits of such municipality and to enter into contracts with such persons or corporations, or both, for the furnishing of water or sewage disposal facilities, any one or both, upon such terms, rates and charges as may be fixed by town council, either for domestic or industrial purposes, or both, when in the judgment of the town council it is for the best interest of the municipality so to do. No such contract shall be for a longer period than ten years but any such contract may be renewed from time to time for successive periods of ten years."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 27th day of May, 1965.

(R459, H1080)

No. 327

An Act To Amend The Code Of Laws Of South Carolina, 1962, By Adding Section 28-171, So As To Allow Inspectors Of The Division Of Commercial Fisheries Of The South Carolina Wildlife Resources Department To Make Certain Arrests And To Provide For Certain Presumptions Of Violations.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 28-171 added—inspectors may make certain arrests.—The Code of Laws of South Carolina, 1962, is amended by adding Section 28-171, to read as follows:

"Section 28-171. The inspectors or other agents appointed by the Division may, under the same conditions as provided by Section 28-170, make arrests for violations of any laws of this State when such violations involve the theft of or damage to equipment used in the fishing industry or the theft of or damage to the catch of any fish or shellfish.

Any person removing or damaging any fishing equipment or the catch of any fish or shellfish who fails to have an identification issued by the Division shall be presumed to be removing or damaging the equipment or catch in violation of law."

SECTION 2. Time effective.—This act shall take effect July 1, 1965.

Approved the 28th day of May, 1965.

(R460, H1167)

No. 323

An Act To Amend Section 16-413, Code Of Laws Of South Carolina, 1962, Relating To Indecent Exposure, So As To Make It Unlawful For A Person To Maliciously Expose His Person To The View Of Any Person.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 16-413 amended—penalty for indecent exposure.—Section 16-413, Code of Laws of South Carolina, 1962, is amended by striking out on lines two and three the words "on any street or highway or in any place of resort" and inserting in lieu thereof the words "in any public place, on property of others or to the view of any person on any street or highway". The section, when amended, shall read as follows:

"Section 16-413. Any person who shall be guilty of wilful and malicious indecent exposure of his person in any public place, on property of others or to the view of any person on any street or highway shall be guilty of a misdemeanor and, on conviction, shall be punished by fine or imprisonment, or both, in the discretion of the court."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 27th day of May, 1965.

(R461, H1400)

No. 329

An Act To Amend Section 3 Of Act No. 766 Of 1964, Relating To Cancellation Of Automobile Liability Insurance Policies, So As To Correct A Typographical Error And To Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 3 of Act 766 of 1964 amended—reason for cancellation must be given.—Section 3 of Act No. 766 of 1964 is amended by inserting after "cancelled," on line three "as provided in Section 1,".

Amend further by striking the period at the end of line five and inserting in lieu thereof "within forty-five days after such request." The section when amended shall read as follows:

"Section 3. In every instance in which a policy or contract of automobile liability insurance is cancelled, as provided in Section 1, the insurance company or its duly authorized agent shall at the written request of the named insured, specify the reason or reasons relied upon by the insurance company for such cancellation within forty-five days after such request. *Provided,* that as between the company or its agent and the named insured or any other person who customarily operates an automobile insured under the policy the reasons specified for cancellation in the notice of cancellation shall constitute a privilege communication and in an action for libel arising therefrom the defendant shall be entitled to assert the defense of qualified privilege as defined and limited by the common law of this State."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1965.

(R462, H1490)

No. 330

An Act To Amend Section 16-145, Code Of Laws Of South Carolina, 1962, Relating To Carrying Concealed Weapons, So As To Delete Reference To Pistols; To Provide For Regulating Pistols And Prescribing Penalties; And To Repeal Section 16-144, Code Of Laws Of South Carolina, 1962, Relating To Pistols.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 16-145 amended—misdemeanor to carry certain concealed weapons.—Section 16-145, Code of Laws of South Carolina, 1962, is amended by striking out the word "pistol" on line one. The section, when amended, shall read as follows:

"Section 16-145. Any person carrying a dirk, slingshot, metal knuckles, razor or other deadly weapon usually used for the infliction of personal injury concealed about his person shall be guilty of a misdemeanor and, upon conviction thereof before a court of competent jurisdiction, shall forfeit to the county or, if convicted in a municipal court, to the municipality the weapon so carried concealed and be fined in the sum of not more than one hundred dollars and not less than twenty dollars or imprisoned not more than thirty nor less than ten days, in the discretion of the court. Nothing herein contained shall

be construed to apply to persons carrying concealed weapons upon their own premises or to peace officers in the actual discharge of their duties as such."

SECTION 2. Definitions.—When used in this act:

(a) "Pistol" means any firearm designed to expel a projectile from a barrel less than twelve inches in length; but shall not include any firearm generally recognized or classified as an antique, curiosity or collector's item, or any that does not fire fixed cartridges or fixed shotgun shells.

(b) The term "dealer" means any person regularly engaged in the business of selling firearms at retail.

(c) The term "crime of violence" means murder, manslaughter (except negligent manslaughter arising out of traffic accidents), rape, mayhem, kidnapping, burglary, robbery, housebreaking, assault with intent to kill, commit rape, or rob, assault with a dangerous weapon, or assault with intent to commit any offense punishable by imprisonment for more than one year.

(d) The term "fugitive from justice" means any person who has fled from or is fleeing from any law enforcement officer to avoid prosecution or imprisonment for a crime of violence.

(e) The term "subversive organization" means any group, committee, club, league, society, association or combination of individuals the purpose of which, or one of the purposes of which, is the establishment, control, conduct, seizure or overthrow of the Government of the United States or any state or political subdivision thereof, by the use of force, violence, espionage, sabotage, or threats or attempts of any of the foregoing.

(f) The term "conviction" as used herein shall include pleas of guilty, pleas of *nolo contendere* and forfeiture of bail.

SECTION 3. Unlawful to carry certain pistols—exceptions.—It shall be unlawful for anyone to carry about the person, whether concealed or not, any pistol, except as follows:

(1) Marshals, sheriffs, policemen, or other law enforcement officers, or peace officers of the Federal Government or other states when they are carrying out official duties while in this State.

(2) Members of the Armed Forces of the United States or of the National Guard, organized reserves or the State Militia when on duty.

(3) Members of organizations authorized by law to purchase or receive firearms from the United States or this State, or regularly enrolled members of clubs organized for the purpose of target shooting or collecting modern and antique firearms while such members are at or going to or from their places of target practice or their shows and exhibits.

(4) Licensed hunters or fishermen while engaged in hunting or fishing and going to and from their places of hunting or fishing.

(5) Any person regularly engaged in the business of manufacturing, repairing, repossession or dealing in firearms, or the agent or representative of such person while possessing, using or carrying a pistol in the usual or ordinary course of such business.

(6) Guards of common carriers, banks and other financial institutions while engaged in that capacity and guards engaged in protection of property of the United States or any agency thereof.

(7) Any authorized military or civil organizations while parading or the members thereof when going to and from the places of meeting of their respective organizations.

(8) Any person in his home, or upon his real property, or fixed place of business.

(9) Any person in any vehicle where the pistol is secured in a closed glove compartment or closed trunk.

(10) Any person carrying a pistol unloaded and in a secure wrapper from the place of purchase to his home or fixed place of business or while in the process of the changing or moving of one's residence or the changing or moving of one's fixed place of business.

(11) Any prison guard while engaged in his official duties.

(12) Any night watchman while engaged in his duties as a night watchman.

SECTION 4. Unlawful to sell pistols to certain persons.—It shall be unlawful for any person to knowingly sell, offer to sell, deliver, lease, rent, barter, exchange or transport for sale into this State any pistol to:

(a) Any person who has been convicted of a crime of violence in any court of the United States, the several states, commonwealths, territories, possessions or the District of Columbia or who is a fugitive from justice or a habitual drunkard or a drug addict or who has been adjudicated mentally incompetent.

(b) Any person who is a member of a subversive organization.

(c) Any person under the age of twenty-one, but this shall not apply to the issue of pistols to members of Armed Forces of the United States, active or reserve, National Guard, State Militia or R. O. T. C., when on duty or training or the temporary loan of pistols for instruction under the immediate supervision of a parent or adult instructor.

(d) Any person who by order of a circuit judge or county court judge of this State has been adjudged unfit to carry or possess a pistol, such adjudication to be made upon application by any police officer, or by any prosecuting officer of this State, or *sua sponte,* by the court, but any person who shall be the subject of such an application shall be entitled to reasonable notice and a proper hearing prior to any such adjudication.

(e) It shall be unlawful for any person covered in (a), (b), (c) or (d) of this section to possess or acquire pistols within this State.

(f) No person shall knowingly buy, sell, transport, pawn, receive or possess any stolen pistol or one from which the original serial number has been removed or obliterated.

SECTION 5. Retailers not to sell pistols without license.—No retail dealer shall sell or otherwise transfer, or expose for sale or transfer, or have in his possession with intent to sell, or otherwise transfer, any pistol without being licensed as hereinafter provided.

SECTION 6. Licenses—issuance—record of sales — fee.—The clerk of court of the county shall grant a license to any person doing business in the county not ineligible under the provisions of this act in a standard form prescribed by the Attorney General, effective for two years from date of issuance, permitting the licensee to sell pistols at retail within this State subject to the following conditions, for breach of any of which the license shall be forfeited:

(a) The license or a copy thereof, authenticated by the issuing authority, shall at all times and places of sale be available for inspection or displayed where it can easily be read.

(b) No pistol shall knowingly be sold in violation of any provision of this act nor shall a pistol be sold without clear evidence to the seller of the identity of the purchaser.

(c) A true record shall be made of every pistol sold, in a book kept for the purpose, the form of which shall be prescribed by the Attorney General and shall be signed personally by the purchaser and by the person effecting the sale, each in the presence of the other, and shall

contain the date of sale, the caliber, make, model and manufacturer's number of the weapon, the name, address, occupation, color and place of birth of the purchaser and a statement signed by the purchaser that he has never been convicted of a crime of violence, is not a fugitive from justice nor a member of any subversive organization. The dealer shall retain the records for a period of three years from the date of sale or transfer to which the records relate.

(d) The fee for issuance of such license shall be twenty-five dollars.

A breach of any of the above conditions shall result in the forfeiture of the license for one year from the date of the violation.

SECTION 7. False information not to be given.—No person in applying for any license under this act shall give false information or offer false evidence of his identity, or give false information concerning the matters referred to in this act.

SECTION 8. Licensed dealers may mortgage pistols.—Only a licensed dealer shall make a loan secured by a mortgage, deposit or pledge of a pistol and the dealer shall keep such records as are required herein. A licensed dealer may mortgage any pistol or stock of pistols but shall not deposit the same with any other person.

SECTION 9. Penalties.—Any person violating any of the provisions of this act shall, upon conviction, be fined not more than one thousand dollars or be imprisoned for not more than one year, or both.

When a violation occurs within a municipality the monies from the fine shall be delivered to the municipality by the clerk of court. If the violation takes place outside a municipality, the monies from the fine shall be delivered to the county treasurer.

Any person convicted of violating the provisions of this act, in addition to the penalty provided herein, shall have such pistol as is involved in any such violation confiscated and delivered to the municipality or county where the violation is committed. Thereafter the pistol shall be sold pursuant to the provisions of Section 16-146, Code of Laws of 1962. No such sale shall be made to any of the individuals forbidden to possess or acquire a pistol or convicted of violating any of the provisions of this act.

SECTION 10. Section 16-144 repealed.—Section 16-144, Code of Laws of South Carolina, 1962, is repealed.

SECTION 11. Saving clause.—If any section, subsection, sentence or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act.

SECTION 12. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 27th day of May, 1965.

(R464, H1614) **No. 331**

An Act To Amend Act No. 881 Of 1962, Relating To The Licensing Of Certain Mobile Homes And House Trailers, So As To Prohibit Public Utilities And Rural Electric Cooperatives From Making Connections Under Certain Conditions.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Act 881 of 1962 amended—Section 5-A added—electricity not to be furnished unlicensed mobile homes.—Act No. 881 of 1962 is amended by adding Section 5-A, as follows:

"Section 5-A. It shall be unlawful for any public utility or rural electric cooperative distributing electrical energy to make a connection to any mobile home or house trailer unless the license provided for in this act has been obtained."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 27th day of May, 1965.

(R469, H1695) **No. 332**

An Act To Create The Fort Mill Township Library.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Fort Mill Township Library created.—There is hereby created an eleemosynary corporation under the control of the State to be known as the Fort Mill Township Library which

shall have all the powers conferred upon such a corporation by this act and other applicable laws of this State.

SECTION 2. To be managed by a board.—The corporation shall be managed by a board of trustees consisting of seven members to be appointed by a majority of the York County Legislative Delegation for terms of three years and until their successors are appointed and qualify, except that the following shall be appointed to serve until June 30, 1968: Robert C. Hill, Chairman, Joe F. Brown, H. M. McCallum, Mrs. Paul K. Harkey, Mrs. Norman H. Gholson, Rev. B. W. Downing and Charles S. Little, Jr. Vacancies shall be filled in the manner of the original appointment for the unexpired portion of the term only.

SECTION 3. Officers — bond of treasurer — meetings.—The board may elect such officers as may be deemed necessary and may make rules and regulations for the conduct of its business, not inconsistent with law. The board may require of its treasurer and librarian a suitable bond for the faithful performance of their respective duties. The board shall meet at least four times annually and hold such other meetings as it deems necessary. Four members shall constitute a quorum for the transaction of business.

SECTION 4. May employ librarian.—The board shall have the exclusive control and management of the Fort Mill Township Library and may employ a librarian or librarians to conduct and administer public library service, and may employ, direct, and discharge any such employees as it may consider advisable, at its pleasure.

SECTION 5. Powers.—The Fort Mill Township Library may, by way of amplification and classification but without limiting the generality of powers conferred on it by Section 1:

(1) purchase, lease, hold, and dispose of real estate and personal property;

(2) acquire books and other informational material and provide for their circulation throughout all sections of the township;

(3) accept donations of land, services, materials, books and other things for the establishment and equipping of libraries;

(4) enter into agreements for the suitable designation and markings of equipment, rooms, buildings and other library facilities to commemorate the memory of individuals;

(5) cooperate or enter into contracts with any state or federal agency when by so doing it will receive substantial aid in carrying out the purposes of the library; and

(6) generally to do all things necessary and proper to establish, equip, maintain, and operate a library system.

SECTION 6. Duties.—The board of trustees shall provide and make available to the citizens of Fort Mill Township good books and informational material. The board shall establish a library and may establish branches and units and operate one or more bookmobiles, acquire books and other informational material, facilities and equipment, and make such rules and regulations, not inconsistent with law, as it may deem necessary to insure the effective and efficient maintenance and operation of the library.

SECTION 7. Tax levy.—In order to provide for the maintenance and upkeep of the township library the auditor of York County shall place upon all the taxable property located in Fort Mill township an annual levy of one mill and the county treasurer shall collect such tax as all other taxes are collected in the county.

SECTION 8. Reports.—The board shall annually, after July first and before September first of each year, make a report of its activities, showing in summary form its receipts and expenditures, the libraries and bookmobile routes operated by it, the number of books, periodicals and other property owned by it, the character of the service rendered to the people of the township, including the number making use of its service, and such other pertinent facts as would show its activities during the preceding fiscal year. Reports shall be filed in the offices of the clerk of court and the governing board for the county and copies shall be furnished each member of the county legislative delegation.

SECTION 9. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1965.

(R475, H1736)

No. 333

An Act To Amend An Act Bearing Ratification No. 341 Of 1965, Relating To The Board Of Tax Review And Appeals For Newberry County, So As To Further Provide For Its Membership.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 1 of Act 237 of 1965 amended—Board of Tax Review and Appeals created for Newberry County.—Section 1 of an act bearing Ratification No. 341 of 1965 is amended by striking on line six "townships" and inserting in lieu thereof "tax districts". When so amended, the section shall read:

"Section 1. There is hereby created the Board of Tax Review and Appeals for Newberry County. The members shall be commissioned by the Governor upon the recommendation of a majority of the legislative delegation for terms of three years or until their successors have been appointed and qualify. One member shall come from each of the tax districts. The board shall elect such officers and adopt such rules and methods of procedure as it deems necessary for carrying out its functions.

Before entering upon the discharge of their duties, the members of the board shall qualify by taking the oath of office provided for other county officers. The members shall serve without compensation but shall be paid the per diem and mileage provided by law for boards, commissions and committees.

The board shall review any actions or acts of the tax assessor and delinquent tax collector when so requested in writing by a taxpayer and shall have the authority to confirm or modify any decision of the tax assessor and delinquent tax collector. For their proper determination the records of the tax assessor and delinquent tax collector's office shall be made available and the board may request the presence of the tax assessor and delinquent tax collector at any of its meetings.

The minutes of all meetings of the board shall be a matter of public record, with a copy duly certified by the secretary being forwarded to the tax assessor and delinquent tax collector."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 27th day of May, 1965.

(R476, H1699)

No. 334

An Act To Exempt Property In The City Of Charleston, Owned By The Order Of Daughters Of The American Revolution As Trustee For The Use Of The Rebecca Motte Chapter, From All Taxes.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Certain property in Charleston exempt from taxes.—The property owned by the Order of Daughters of the American Revolution of South Carolina, as trustee for the use of the Rebecca Motte Chapter, in the City of Charleston and commonly known as "The Old Exchange Building," shall be exempt from all county, municipal and special taxes as long as used for this purpose.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 27th day of May, 1965.

(R478, H1705)

No. 335

An Act To Amend Section 21-3800, Code Of Laws Of South Carolina, 1962, Relating To A Revolving Fund For Pickens County School District A, So As To Increase The Amount Of The Fund.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 21-3800 amended—revolving fund for Pickens County School District A.—Section 21-3800, Code of Laws of South Carolina, 1962, is amended by striking on line two the word "twenty" and inserting the words "seventy-five". The section when amended shall read as follows:

"Section 21-3800. The superintendent of education for Pickens County shall set up a revolving fund in the amount of seventy-five thousand dollars in the business office of Pickens County School District A for the purpose of paying current operating expenses. This fund shall be in the custody of the business manager of Pickens County School District A. Paid invoices, cancelled vouchers or cash shall always be maintained by the business manager to account

for the total of the fund at all times. Checks may be drawn against such fund and executed by either the business manager or the superintendent of schools of Pickens County School District A."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 27th day of May, 1965.

(R483, H1727) **No. 336**

An Act To Exempt Certain Property Of Totally Disabled Veterans And Their Widows In Lexington County From County And School Taxes.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Certain property of totally disabled veterans exempt from taxes in Lexington County.—One house, in which he resides, and lot not to exceed one acre, belonging to any veteran in Lexington County who is one hundred per cent permanently and totally disabled from a service connected disability, shall be exempt from county and school taxes; *provided,* that such veteran shall file a certificate signed by the county service officer of such total and permanent disability with the county treasurer. This exemption shall be allowed to the widow of any such veteran as long as she remains unmarried and resides in the exempt house.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1965.

(R486, S218) **No. 337**

An Act To Amend Section 47-407, Code Of Laws Of South Carolina, 1962, Relating To License Fees In Cities Of Over Seventy Thousand, So As To Make Such Section Inapplicable To Any City Whose Population Is Over Ninety Thousand.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 47-407 amended—license fees in certain cities.—Section 47-407, Code of Laws of South Carolina, 1962, is amended by adding after the word "seventy" on line one the words "and under ninety" so that when amended the section shall read as follows:

"Section 47-407. Cities of over seventy and under ninety thousand inhabitants, according to the latest official United States census, may require the payment of such sum of money, not exceeding twenty-five hundred dollars, for a license as in their judgment may be just and wise by any person or corporation engaged, or intending to engage, in any calling, business or profession, in whole or in part, within the limits of such cities, except those engaged in the calling or profession of teachers and ministers of the gospel. But whenever the amount of the license shall exceed one thousand dollars, the concurrence of two thirds of the whole council and the mayor shall be necessary in the passage of any ordinance requiring such license."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of June, 1965.

(R487, S272)

No. 338

An Act To Amend Section 65-802, Code Of Laws Of South Carolina, 1962, Imposing An Admissions Tax, So As To Restore The Provision Relating To That Portion Of The Tax Derived From Fishing Piers Deleted By Act No. 837 Of 1960.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 65-802 amended—admissions tax—exemptions.—Section 65-802 of the Code of 1962 is amended by adding thereto the following: "The revenue derived from the provisions of this section from fishing piers along the coast of South Carolina is hereby allocated for use of the Commercial Fisheries Division." When so amended, the section shall read:

"Section 65-802. There shall be levied, assessed, collected and paid upon all paid admissions to all places of amusement within this State a license tax of one cent for each ten cents or fractional

part thereof paid for any such admission, *provided* no tax shall be charged or collected:

(1) On account of any stage play or any pageant in which wholly local or nonprofessional talent or players are used;

(2) On admissions to athletic contests in which a junior American Legion athletic team is a participant unless the proceeds inure to any individual or player in the form of salary or otherwise;

(3) On admissions to high school or grammar school games or on general gate admissions to the State Fair or any county or community fair;

(4) On admissions charged by any eleemosynary or nonprofit corporation or organization; *provided,* that the license tax herein levied and assessed shall be collected and paid upon all paid admissions to all athletic events of any institution of learning above the high school level;

(5) On admissions to nonprofit public bathing places;

(6) On admissions to any hunting or shooting preserve; and

(7) On admissions to privately-owned fish ponds or lakes.

The tax imposed by this section shall be paid by the person or persons paying such admission price and shall be collected and remitted to the South Carolina Tax Commission by the person or persons collecting such admission price. The tax imposed by this section shall not apply to any amount separately stated on the ticket of admission for the repayment of money borrowed for the purpose of constructing an athletic stadium or field by any accredited college or university. The revenue derived from the provisions of this section from fishing piers along the coast of South Carolina is hereby allocated for use of the Commercial Fisheries Division."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of June, 1965.

(R488, S311)

No. 339

An Act To Amend Sections 1-442 And 1-447, Code Of Laws Of South Carolina, 1962, Relating To The Insurance Sinking Fund Of The Budget And Control Board And Appraisals Of

Losses, Respectively, So As To Eliminate Certain Restrictions And Make Certain Grammatical Corrections.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 1-442 amended—insurance sinking fund.—Section 1-442 of the Code of 1962 is amended by deleting on line six "fire and windstorm" and by changing "them" on line eight to "it" and "their" on line nine to "its" so that, when so amended, the section shall read:

"Section 1-442. All funds paid over to the State Budget and Control Board as premiums on policies of insurance and all money received from interest on loans and deposits and from any other source connected with the insurance of public property, provided for herein, shall be held by the Board as an insurance sinking fund for the purpose of paying all losses for which it is liable and the expenses necessary to the proper conduct of such insurance of public property by the Board and shall be invested by it as are other funds in its hands."

SECTION 2. Section 1-447 amended—when damage cannot be agreed upon—appraisers.—Section 1-447 of the Code of 1962 is amended by deleting on lines one, two and three "by fire, lightning or those causes embracing protection afforded under the form of insurance terms as and approved as extended coverage" so that, when so amended, the section shall read:

"Section 1-447. In the event of loss or damage, when an agreement as to the extent of such loss or damage cannot be arrived at between the Board and the officials having charge of the property, the amount of such loss or damage to be paid by the Board shall be determined by three appraisers, one to be named by the Board, one by the officer, official or trustee having the damaged or destroyed building in charge, and the third by the two so appointed. These appraisers shall file their written report with the Board and a duplicate copy with the insured. The cost of the appraisal shall be borne one half by the Board and one half by the insured."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of June, 1965.

(R489, S353)

No. 340

An Act To Amend Section 65-2289, Code Of Laws Of South Carolina, 1962, As Amended, Relating To Fees On Delinquent Tax Executions In Chesterfield County, So As To Provide For An Increased Fee When Property Is Advertised For Sale.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 65-2289 amended—fees on delinquent tax collections.—Section 65-2289 of the 1962 Code, as amended, is further amended by adding the following proviso at the end thereof: "*Provided,* that when property is advertised for sale, the tax collector shall levy and collect from each defaulting taxpayer an additional fee of three dollars." The section, when amended, shall read as follows:

"Section 65-2289. The tax collector shall levy and collect from each defaulting taxpayer in addition to the taxes due a fee of four dollars plus five per cent of the total amount of delinquent taxes. *Provided,* that when property is advertised for sale, the tax collector shall levy and collect from each defaulting taxpayer an additional fee of three dollars."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of June, 1965.

(R490, S319)

No. 341

An Act Providing For The State Of South Carolina To Enter Into An Agreement On Detainers With Other States And Setting Out The Provisions Of The Agreement.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Detainers—agreements with other states—form.—The Agreement on Detainers is hereby enacted into law and entered into by this State with all other jurisdictions legally joining therein in the form substantially as follows:

The contracting states solemnly agree that:

Article I

The party states find that charges outstanding against a prisoner, detainers based on untried indictments, informations or complaints, and difficulties in securing speedy trial of persons already incarcerated in other jurisdictions, produce uncertainties which obstruct programs of prisoner treatment and rehabilitation. Accordingly, it is the policy of the party states and the purpose of this agreement to encourage the expenditious and orderly disposition of such charges and determination of the proper status of any and all detainers based on untried indictments, informations or complaints. The party states also find that proceedings with reference to such charges and detainers, when emanating from another jurisdiction, cannot properly be had in the absence of cooperative procedures. It is the further purpose of this agreement to provide such cooperative procedures.

Article II

As used in this agreement:

(a) "State" shall mean a state of the United States; the United States of America; a territory or possession of the United States; the District of Columbia; the Commonwealth of Puerto Rico.

(b) "Sending state" shall mean a state in which a prisoner is incarcerated at the time that he initiates a request for final disposition pursuant to Article III hereof or at the time that a request for custody or availability is initiated pursuant to Article IV hereof.

(c) "Receiving state" shall mean the state in which trial is to be had on an indictment, information or complaint pursuant to Article III or Article IV hereof.

Article III

(a) Whenever a person has entered upon a term of imprisonment in a penal or correctional institution of a party state, and whenever during the continuance of the term of imprisonment there is pending in any other party state any untried indictment, information or complaint on the basis of which a detainer has been lodged against the prisoner, he shall be brought to trial within one hundred eighty days after he shall have caused to be delivered to the prosecuting officer and the appropriate court of the prosecuting officer's jurisdiction written notice of the place of his imprisonment and his request for a final disposition to be made of the indictment, information or complaint; *provided,* that for good cause shown in open court, the prisoner or his counsel being present, the court having jurisdiction

of the matter may grant any necessary or reasonable continuance. The request of the prisoner shall be accompanied by a certificate of the appropriate official having custody of the prisoner, stating the term of commitment under which the prisoner is being held, the time already served, the time remaining to be served on the sentence, the amount of good time earned, the time of parole eligibility of the prisoner, and any decisions of the state parole agency relating to the prisoner.

(b) The written notice and request for final disposition referred to in paragraph (a) hereof shall be given or sent by the prisoner to the warden, commissioner of corrections or other official having custody of him, who shall promptly forward it together with the certificate to the appropriate prosecuting official and court by registered or certified mail, return receipt requested.

(c) The warden, commissioner of corrections or other official having custody of the prisoner shall promptly inform him of the source and contents of any detainer lodged against him and shall also inform him of his right to make a request for final disposition of the indictment, information or complaint on which the detainer is based.

(d) Any request for final disposition made by a prisoner pursuant to paragraph (a) hereof shall operate as a request for final disposition of all untried indictments, informations or complaints on the basis of which detainers have been lodged against the prisoner from the state to whose prosecuting official the request for final disposition is specifically directed. The warden, commissioner of corrections or other official having custody of the prisoner shall forthwith notify all appropriate prosecuting officers and courts in the several jurisdictions within the state to which the prisoner's request for final disposition is being sent of the proceeding being initiated by the prisoner. Any notification sent pursuant to this paragraph shall be accompanied by copies of the prisoner's written notice, request, and the certificate. If trial is not had on any indictment, information or complaint contemplated hereby prior to the return of the prisoner to the original place of imprisonment, such indictment, information or complaint shall not be of any further force or effect, and the court shall enter an order dismissing the same with prejudice.

(e) Any request for final disposition made by a prisoner pursuant to paragraph (a) hereof shall also be deemed to be a waiver of extradition with respect to any charge or proceedings contemplated thereby or included therein by reason of paragraph (d) hereof, and a

waiver of extradition to the receiving state to serve any sentence there imposed upon him, after completion of his term of imprisonment in the sending state. The request for final disposition shall also constitute a consent by the prisoner to the production of his body in any court where his presence may be required in order to effectuate the purposes of this agreement and a further consent voluntarily to be returned to the original place of imprisonment in accordance with the provisions of this agreement. Nothing in this paragraph shall prevent the imposition of a concurrent sentence if otherwise permitted by law.

(f) Escape from custody by the prisoner subsequent to his execution of the request for final disposition referred to in paragraph (a) hereof shall void the request.

Article IV

(a) The appropriate officer of the jurisdiction in which an untried indictment, information or complaint is pending shall be entitled to have a prisoner against whom he has lodged a detainer and who is serving a term of imprisonment in any party state made available in accordance with Article V (a) hereof upon presentation of a written request for temporary custody or availability to the appropriate authorities of the state in which the prisoner is incarcerated; *provided,* that the court having jurisdiction of such indictment, information or complaint shall have duly approved, recorded and transmitted the request. *Provided,* further, that there shall be a period of thirty days after receipt by the appropriate authorities before the request be honored, within which period the governor of the sending state may disapprove the request for temporary custody or availability, either upon his own motion or upon motion of the prisoner.

(b) Upon receipt of the officer's written request as provided in paragraph (a) hereof, the appropriate authorities having the prisoner in custody shall furnish the officer with a certificate stating the term of commitment under which the prisoner is being held, the time already served, the time remaining to be served on the sentence, the amount of good time earned, the time of parole eligibility of the prisoner, and any decisions of the state parole agency relating to the prisoner. The authorities simultaneously shall furnish all other officers and appropriate courts in the receiving state who have lodged detainers against the prisoner with similar certificates and with notices informing them of the request for custody or availability and of the reasons therefor.

(c) In respect of any proceedings made possible by this Article, trial shall be commenced within one hundred twenty days of the arrival of the prisoner in the receiving state, but for good cause shown in open court, the prisoner or his counsel being present, the court having jurisdiction of the matter may grant any necessary or reasonable continuance.

(d) Nothing contained in this Article shall be construed to deprive any prisoner of any right which he may have to contest the legality of his delivery as provided in paragraph (a) hereof, but such delivery may not be opposed or denied on the ground that the executive authority of the sending state has not affirmatively consented to or ordered such delivery.

(e) If trial is not had on any indictment, information or complaint contemplated hereby prior to the prisoner's being returned to the original place of imprisonment pursuant to Article V (e) hereof, such indictment, information or complaint shall not be of any further force or effect, and the court shall enter an order dismissing the same with prejudice.

Article V

(a) In response to a request made under Article III or Article IV hereof, the appropriate authority in a sending state shall offer to deliver temporary custody of such prisoner to the appropriate authority in the state where such indictment, information or complaint is pending against such person in order that speedy and efficient prosecution may be had. If the request for final disposition is made by the prisoner, the offer of temporary custody shall accompany the written notice provided for in Article III of this agreement. In the case of a federal prisoner, the appropriate authority in the receiving state shall be entitled to temporary custody as provided by this agreement or to the prisoner's presence in federal custody at the place for trial, whichever custodial arrangement may be approved by the custodian.

(b) The officer or other representative of a state accepting an offer of temporary custody shall present the following upon demand:

(1) Proper identification and evidence of his authority to act for the state into whose temporary custody the prisoner is to be given.

(2) A duly certified copy of the indictment, information or complaint on the basis of which the detainer has been lodged and on the basis of which the request for temporary custody of the prisoner has been made.

(c) If the appropriate authority shall refuse or fail to accept temporary custody of such person, or in the event that an action on the indictment, information or complaint on the basis of which the detainer has been lodged is not brought to trial within the period provided in Article III or Article IV hereof, the appropriate court of the jurisdiction where the indictment, information or complaint has been pending shall enter an order dismissing the same with prejudice, and any detainer based thereon shall cease to be of any force or effect.

(d) The temporary custody referred to in this agreement shall be only for the purpose of permitting prosecution on the charge or charges contained in one or more untried indictments, informations or complaints which form the basis of the detainer or detainers or for prosecution on any other charge or charges arising out of the same transaction. Except for his attendance at court and while being transported to or from any place at which his presence may be required, the prisoner shall be held in a suitable jail or other facility regularly used for persons awaiting prosecution.

(e) At the earliest practicable time consonant with the purposes of this agreement, the prisoner shall be returned to the sending state.

(f) During the continuance of temporary custody or while the prisoner is otherwise being made available for trial as required by this agreement, time being served on the sentence shall continue to run but good time shall be earned by the prisoner only if, and to the extent that, the law and practice of the jurisdiction which imposed the sentence may allow.

(g) For all purposes other than that for which temporary custody as provided in this agreement is exercised, the prisoner shall be deemed to remain in the custody of and subject to the jurisdiction of the sending state and any escape from temporary custody may be dealt with in the same manner as an escape from the original place of imprisonment or in any other manner permitted by law.

(h) From the time that a party state receives custody of a prisoner pursuant to this agreement until such prisoner is returned to the territory and custody of the sending state, the state in which the one or more untried indictments, informations or complaints are pending or in which trial is being had shall be responsible for the prisoner and shall also pay all costs of transporting, caring for, keeping and returning the prisoner. The provisions of this paragraph shall govern unless the states concerned shall have entered into a supplementary agreement providing for a different allocation of costs and respon-

sibilities as between or among themselves. Nothing herein contained shall be construed to alter or affect any internal relationship among the departments, agencies and officers of and in the government of a party state, or between a party state and its subdivisions, as to the payment of costs, or responsibilities therefor.

Article VI

(a) In determining the duration and expiration dates of the time periods provided in Articles III and IV of this agreement, the running of such time periods shall be tolled whenever and for as long as the prisoner is unable to stand trial, as determined by the court having jurisdiction of the matter.

(b) No provision of this agreement, and no remedy made available by this agreement, shall apply to any person who is adjudged to be mentally ill.

Article VII

Each state party to this agreement shall designate an officer who, acting jointly with like officers of other party states, shall promulgate rules and regulations to carry out more effectively the terms and provisions of this agreement, and who shall provide, within and without the state, information necessary to the effective operation of this agreement.

Article VIII

This agreement shall enter into full force and effect as to a party state when such state has enacted the same into law. A state party to this agreement may withdraw herefrom by enacting a statute repealing the same. However, the withdrawal of any state shall not affect the status of any proceedings already initiated by inmates or by state officers at the time such withdrawal takes effect, nor shall it affect their rights in respect thereof.

Article IX

This agreement shall be liberally construed so as to effectuate its purposes. The provisions of this agreement shall be severable and if any phrase, clause, sentence or provision of this agreement is declared to be contrary to the constitution of any party state or of the United States or the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this agreement and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this

agreement shall be held contrary to the constitution of any state party hereto, the agreement shall remain in full force and effect as to the remaining states and in full force and effect as to the state affected as to all severable matters.

SECTION 2. Appropriate court defined.—The phrase "appropriate court" as used in the Agreement on Detainers shall, with reference to the courts of this State, mean a court of record with criminal jurisdiction.

SECTION 3. State officials to enforce agreement.—All courts, departments, agencies, officers and employees of this state and its political subdivisions are hereby directed to enforce the Agreement on Detainers and to cooperate with one another and with other party states in enforcing the agreement and effectuating its purpose.

SECTION 4. Prisoners who escape from temporary custody.—Any prisoner released to temporary custody under the provisions of the Agreement on Detainers from a place of imprisonment in South Carolina who shall escape or attempt to escape from such temporary custody, whether within or without the borders of this State, shall be dealt with in the same manner as if the escape or attempt to escape were from the original place of imprisonment.

SECTION 5. Not to affect habitual offenders law.—Nothing in this act or in the Agreement on Detainers shall be construed to require the application of the habitual offenders law to any person on account of any conviction had in a proceeding brought to final disposition by reason of the use of such agreement.

SECTION 6. Prison officials to give over inmates.—It shall be lawful and mandatory upon the warden or other official in charge of a penal or correctional institution in this State to give over the person of any inmate thereof whenever so required by the operation of the Agreement on Detainers.

SECTION 7. Central Administrator and Information Agent.—The Governor is empowered to designate the officer who will serve as Central Administrator and Information Agent for the Agreement on Detainers.

SECTION 8. Distribution of copies of act.—Copies of this act shall, upon its approval, be transmitted to the Governor of each state, the attorney general and the administrator of general services of the United States, and the Council of State Governments.

SECTION 9. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of June, 1965.

(R491, S252)

No. 342

An Act To Amend Section 32-931, Code Of Laws Of South Carolina, 1962, As Amended, Relating To State Mental Health Facilities; And To Amend The Code By Adding Section 32-977, So As To Make Special Provision For The William S. Hall Psychiatric Institute.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 32-931 amended—Item (2) added—mental health facilities.—Section 32-931, Code of Laws of South Carolina, 1962, as amended, is further amended by adding a new item to be designated as Item (2) to read as follows and by renumbering the remaining items.

"(2) The William S. Hall Psychiatric Institute at Columbia shall be maintained as a teaching hospital for the primary purposes of training mental health personnel and psychiatric research, in connection with the general purposes described in this section;"

When amended the section shall read as follows:

"Section 32-931. The following facilities shall continue in existence and shall be maintained for the following purposes:

(1) The South Carolina State Hospital at Columbia and Palmetto State Hospital at State Park shall be maintained for the care and treatment of persons who are mentally ill and those persons accused of crime who have been admitted to the hospital in accordance with the provisions of Section 32-969;

(2) The William S. Hall Psychiatric Institute at Columbia shall be maintained as a teaching hospital for the primary purposes of training mental health personnel and psychiatric research, in connection with the general purposes described in this section;

(3) Pineland, Richland County, shall be maintained as a training school and hospital for the care, treatment and training of persons who are mentally deficient or emotionally disturbed and such other persons under sixteen years of age who may be admitted upon approval of the

Commission for the purpose of examination, adjustment, treatment or training; and

(4) The mental health clinics shall be maintained for the diagnosis, treatment and prevention of mental illness."

SECTION 2. Section 32-977 added—Commission may establish special admission procedures for a psychiatric institute.—The Code of Laws of South Carolina, 1962, is amended by adding Section 32-977 to read as follows:

"Section 32-977. The Mental Health Commission may establish special admission procedures for a psychiatric institute to be maintained primarily for the purposes of training and research. Admissions to the institute shall be based upon the needs of the institute and shall be controlled by its superintendent. In addition to the admission procedures set forth in this chapter, the institute may utilize informal admission, a procedure similar to that followed by general hospitals and which does not involve a formal application or medical certificate. Patients so admitted will be free to leave at any time during the institute's normal business hours. This procedure will be used, when indicated, for certain referrals from mental health clinics and centers. It will also be available to patients referred by private physicians for highly specialized diagnostic or treatment procedures which are not available elsewhere in the State. In addition to the mentally ill, persons suffering from neurological disorders will be eligible for admission to the institute.

For the purpose of informal admission to the institute, 'mentally ill person' shall mean a person afflicted with a mental disease, alcoholism and drug addiction as such excluded, to such an extent that he requires diagnostic evaluation, care and treatment for this condition."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of June, 1965.

(R492, S308)

No. 343

An Act To Prevent The Injury Of Competitors Or Destruction Of Competition To Producers Or Sellers Of Milk Or Milk Products By Prohibiting The Limitation Of Quantity Of A Product Sold Or Offered For Sale Where The Product Offered For Sale Or Sold Is For A Price Less Than The Cost Of Replacement.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Unlawful to sell milk below cost.—Proof of limitation of the quantity of milk or milk products sold or offered for sale to any one customer to a quantity less than the entire supply thereof owned or possessed by the seller or which he is otherwise authorized to sell at the place of such sale or offering for sale, together with proof that the price at which the milk or milk product is so sold or offered for sale is in fact below its invoice or replacement cost, whichever is lower, raises a presumption of the purpose or intent to injure competitors or destroy competition, and shall be unlawful.

SECTION 2. Findings of General Assembly.—The General Assembly finds that the business practices and the economic situation of persons principally engaged in the production, purchase and distribution of milk or milk products for sale and resale to consumers are materially different from those of persons engaged in the production, purchase and distribution of products of a more stable nature, and that the health and welfare of the people are generally dependent on the availability of milk or milk products which are in a clean, sanitary and wholesome state.

SECTION 3. Penalties.—Any person found guilty of violating the provisions of this act shall be fined not to exceed two hundred dollars per day for each and every day of violation.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of June, 1965.

(R495, H1718)

No. 344

An Act To Provide For A Tax Levy In The Town Of Ridgeland In Jasper County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Town of Ridgeland may levy annual tax.—The Town Council of Ridgeland in Jasper County may by ordinance impose an annual tax upon all real and personal property within the corporate limits, not to exceed forty mills on every one-dollar of assessed valuation of such property.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of June, 1965.

(R496, H1745)

No. 345

An Act To Provide A Civil Service System For The City Of Spartanburg In Spartanburg County.

Whereas, a Constitutional amendment was submitted to the voters at the 1964 General Election for the State of South Carolina to permit the creation of a Civil Service Commission for the City of Spartanburg and a majority of the electors of the State voted in favor of the amendment; and

Whereas, the amendment was subsequently ratified by the General Assembly. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Definitions.—As used in this act the following terms shall have the following meanings:

"Commission" means the Civil Service Commission herein created and "commissioner" means any one of the three commissioners of the commission.

"Appointing power" includes every person or group of persons who, acting singly or in conjunction, as a mayor, city manager, council, common council, commission or otherwise, is vested by law with power and authority to select, appoint or employ any person to hold office, place, position or employment, subject to civil service.

"Appointment" includes all means of selecting, appointing or employing any person to hold any office, place, position or employment subject to civil service.

SECTION 2. Application of act.—The provisions of this act shall include all present incumbent employees and all future employees of the fire department and police department of the City of Spartanburg, including the chiefs of the departments. All appointments to and promotions in the department shall be left to the discretion of the city council and chiefs of the departments with the exception of the chiefs who shall be elected by the city council. No person shall be reinstated in, or transferred, suspended or discharged from any such place, position or employment contrary to the provisions of this act.

SECTION 3. Civil Service Commission created for City of Spartanburg.—There is hereby created for the City of Spartanburg a Civil Service Commission which shall be composed of three members who shall be appointed by the appointing power for terms of six years. Except of those first appointed, one member shall serve for a term of two years, one member shall serve for a term of four years and one member shall serve for a term of six years or until their successors are appointed and qualify. Two members of the commission shall constitute a quorum. The members of the commission shall receive a salary not to exceed three hundred dollars per annum. After appointment, the commission shall organize by electing one of its members as chairman and shall hold such meetings as may be required for the proper discharge of its duties.

SECTION 4. Duties.—It shall be the duty of the commission:

(a) To make suitable rules and regulations not inconsistent with the provisions of this act. Such rules and regulations shall provide in detail the manner in which examinations may be held.

(b) To assure that all tests shall be practical and shall consist only of subjects which shall fairly determine the capacity of persons examined to perform duties of the position to which the appointment is to be made and may include tests of physical fitness or of manual skill.

(c) To provide that the rules and regulations adopted by the commission shall provide for a credit of ten per cent in favor of all applicants for appointment under civil service who, in time of war or in any expedition of the armed forces of the United States, in-

cluding the Army, Navy, Air Force, Coast Guard, Marine Corps and the American Red Cross. These credits shall apply to entrance examinations only.

(d) To provide for, formulate and hold competitive tests to determine the relative qualifications of persons who seek employment in any class or position and, as a result thereof, establish eligible lists for the various classes of positions.

(e) To provide that men laid off becaue of curtailment of expenditures, reduction in any part in force, and for like causes, shall be the last men, including probationers, who have been appointed to the fire department or police department. Such removal shall be accomplished by suspending in numerical order commencing with the last man appointed to the fire department or police department, until such reductions necessary shall have been accomplished. *Provided,* that in the event the fire department or police department shall again be increased in numbers, the firemen and policemen suspended under the terms of this act shall be reinstated before any new appointments to the fire department or police department shall be made.

SECTION 5. Not to affect present personnel.—All persons holding a position in the fire or police department, including the chiefs thereof, who served in such position under the civil service law existing prior to the effective date of this act may serve in the same position and remain in the position until removed for cause.

SECTION 6. Qualifications of applicants.—An applicant for a position of any kind under civil service as provided for in this act shall be:

(1) A citizen of the United States of America;
(2) A resident of Spartanburg County for at least one year;
(3) A registered elector of Spartanburg County;
(4) Able to read and write the English language;
(5) Not more than thirty-five years of age or at least twenty-one years of age;
(6) In ordinary good health;
(7) Of good moral character;
(8) Of temperate habits.

The ascertainment of these facts shall be effected in such manner as the commission may deem advisable.

SECTION 7. Persons may be discharged or suspended.—The tenure of every person appointed or employed under the provisions

of this act shall be only during good behavior. Any person may be removed, discharged, suspended without pay, demoted or deprived of vacation privileges for any of the following reasons:

(1) Incompetency, inefficiency or inattention to or dereliction of duty;

(2) Dishonesty, intemperance, immoral conduct, insubordination, discourteous treatment of the public or a fellow employee, or any other act of omission or commission tending to injure the public service or any other wilful violation of the provisions of this act or the rules and regulations adopted hereunder;

(3) Conviction of a felony or a misdemeanor involving moral turpitude;

(4) Any other act or failure to act which in the judgment of the commission is sufficient to show the offender to be unsuitable and an unfit person to be employed in the public service.

SECTION 8. Written accusation—investigation—appeals.—No person, who shall have been appointed or inducted into civil service under the provisions of this act, shall be removed, suspended, demoted or discharged except for cause and only upon the written accusation of the appointing power or any citizen or taxpayer. A written statement of the accusation, in general terms, shall be served upon the accused and a duplicate filed with the commission. The chief of the fire department or the chief of the police department may suspend a member pending the confirmation of the suspension by the regular appointing power which shall be within three days. Any person removed, suspended, demoted or discharged may, within ten days from the time of his removal, suspension, demotion or discharge, file with the commission a written demand for an investigation.

The investigation shall be confined to the determination of the question of whether such removal, suspension, demotion or discharge was or was not made for political or religious reasons and was or was not made in good faith or cause. After such investigation the commission may, if in its estimation the evidence is conclusive, affirm the action, or if it shall find that the removal, suspension or demotion was made for political or religious reasons or was not made in good faith for cause, it shall order the immediate reinstatement or re-employment of such person in the office, position or employment from which such a person was removed, suspended, demoted or discharged. The reinstatement may be retroactive and entitle such person

to pay or compensation from the time of such removal, suspension, demotion or discharge. The commission upon such investigation, in lieu of affirming its action, may modify its order by directing a suspension, without pay, for a given period and subsequent restoration of duty or demotion in classification, grade or pay. The findings of the commission shall be certified in writing to the appointing power and shall be forthwith enforced by such officer.

All investigations made by the commission pursuant to the provisions of this section shall be by public hearing, after reasonable notice to the accused of the time and place of such hearing, at which hearing the accused shall be afforded an opportunity of appearing in person and by counsel and presenting his defense. If such judgment or order is concurred in by the commission or a majority thereof, the accused may appeal therefrom to the court of common pleas of the county wherein he resides.

Such appeals shall be taken by serving the commission, within thirty days after the entry of such judgment or order, a written notice of appeal stating the grounds thereof and demand that a certified transcript of the record and all papers on file in the office of the commission affecting or relating to such judgment or order be filed by the commission with the court. The commission shall, within ten days after the filing of the notice, make, certify and file such transcript with the court. The court shall thereupon proceed to hear and determine the appeal in a summary manner. *Provided,* that such hearing shall be to determine whether the action by the commission was or was not made in good faith for cause and no appeal to such court shall be taken except upon such grounds.

SECTION 9. Not to affect appointing power.—All offices, places, positions and employment coming within the purview of this act shall be created by the appointing power and nothing herein contained shall infringe upon the power and authority of the appointing power to fix the salaries and compensation of employees employed hereunder.

SECTION 10. Commission to conduct civil suits.—It shall be the duty of the commission to begin and conduct all civil suits which may be necessary for the proper enforcement of this act and of the rules and regulations of the commission. It shall be represented in such suits by the chief legal officer of the city but may be represented by additional special counsel appointed by it.

SECTION 11. Employees not obligated to make certain contributions.—No person in an office, place, position, or employed subject to civil service is under any obligation to contribute to any political fund or to render any political service to any person or party and no person shall be removed, reduced in grade or salary or otherwise prejudiced for refusing to do so.

No public officer, whether elected or appointed, shall discharge, promote, demote or in any manner change the official rank, employment or compensation of any person under civil service, or promise or threaten to do so for giving or withholding or neglecting to make any contribution of money or services, or any other valuable thing for political purposes.

SECTION 12. City of Spartanburg—enact ordinances—appoint commission.—The City of Spartanburg shall immediately enact appropriate ordinances to effectuate the provisions of this act and appoint the civil service commission provided herein and the commission appointed shall immediately organize and commence to effectuate the provisions hereof.

SECTION 13. Penalties.—Any person who shall wilfully violate any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars or by imprisonment in the county jail for not longer than one year, or by both such fine and imprisonment. The Court of General Sessions of Spartanburg County shall have jurisdiction of all offenses created by this act.

SECTION 14. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of June, 1965.

(R497, H1233) **No. 346**

An Act To Amend Sections 8-587, 8-588, 8-592, 8-593, 8-595, 8-598, 8-599.1 And 8-599.3, Code Of Laws Of South Carolina, 1962, Relating To Common Trust Funds, So As To Define Terms, To Provide For Certain Investments By Trust Institutions And To Regulate Such Investments And To Amend The Code Of

Laws Of South Carolina, 1962, By Adding Sections 8-592.1 And 8-592.2 To Regulate Investments In Common Trust Funds.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 8-587 amended—definitions.—Section 8-587, Code of Laws of South Carolina, 1962, is amended by striking items (2) and (7) out and inserting:

"(2) The term 'fiduciary' means a trust institution undertaking to act alone or jointly with others primarily for the benefit of another in all matters connected with its undertaking and includes trustee, executor, administrator, guardian of estates, committee of estates of persons non compos mentis, and managing agent;

"(7) The term 'managing agency' means the fiduciary relationship assumed by a bank upon the creation of an account so entitled which confers investment discretion on the bank and imposes upon it the fiduciary responsibilities imposed upon trustees under will or deed." The section when amended shall read as follows:

"Section 8-587. The following terms used in this article shall have the meanings ascribed to them in this section unless the context indicates otherwise:

(1) The term 'trust institution' means any State bank, any national bank or any trust company, authorized to act in a fiduciary capacity in this State, and under the supervision of the Comptroller of the currency of the United States, or the Federal Reserve System or the State Board of Bank Control of South Carolina;

(2) The term 'fiduciary' means a trust institution undertaking to act alone or jointly with others primarily for the benefit of another in all matters connected with its undertaking and includes trustee, executor, administrator, guardian of estates, committee of estates of persons non compos mentis, and managing agent;

(3) The term 'common trust fund' means a fund maintained by a trust institution, exclusively for the collective investment and reinvestment of moneys contributed thereto by the institution in its capacity as a fiduciary or cofiduciary and established, maintained and administered pursuant to the requirements of this article;

(4) The term 'estate' or 'estates' means any trust, estate or fund administered by a trust institution in a fiduciary capacity;

(5) The term 'participation' means the interest of a participating estate in the common trust fund;

(6) The term 'security' or 'securities' means all types of property in which the trust institution is authorized to invest the assets of the common trust fund; and

(7) The term 'managing agency' means the fiduciary relationship assumed by a bank upon the creation of an account so entitled which confers investment discretion on the bank and imposes upon it the fiduciary responsibilities imposed upon trustees under will or deed."

SECTION 2. Section 8-588 amended—collective investments by trust institutions.—Section 8-588, Code of Laws of South Carolina, 1962, is amended by striking it out and inserting:

"Section 8-588. Funds held by a trust institution may be invested collectively:

(1) In common trust funds maintained by the trust institution exclusively for the collective investment and reinvestment of monies contributed thereto by the trust institution in its capacity as executor, administrator, committee, guardian or trustee under a will or deed;

(2) In a fund consisting solely of assets of retirement, pension, profit sharing, stock bonus, or other trusts which are exempt from Federal income taxation under the Internal Revenue Code;

(3) Under a managing agency agreement expressly providing that such monies are received by the trust institution in trust;

(4) Monies held by the trust institution in its capacity as managing agent shall not be invested in collective investment funds established under items (1) or (2) of this section. Property held by the trust institution in its capacity as trustee of retirement, pension, profit sharing, stock bonus or other trusts which are exempt from Federal income taxation under the Internal Revenue Code may be invested in collective investment funds established under the provisions of items (1) or (2) of this section, subject to the provisions herein contained pertaining to such funds. Assets of retirement, pension, profit sharing, stock bonus or other trusts which are exempt from Federal income taxation under the Internal Revenue Code and held by the trust institution in whatever capacity, may be invested in collective investment funds established under the provisions of item (2) of this section."

SECTION 3. Section 8-592.1 added—amount of certain investments restricted.—The Code of Laws of South Carolina, 1962, is amended by adding Section 8-592.1, which shall read as follows:

"Section 8-592.1. No investment for a collective investment fund shall be made in stocks, bonds or other obligations of any one person,

firm or corporation if as a result of such investment the total amount invested in stocks, bonds or other obligations issued or guaranteed by such person, firm or corporation would aggregate in excess of ten per cent of the then market value of the fund. *Provided,* that this limitation shall not apply to investments in direct obligations of the United States or other obligations fully guaranteed by the United States as to principal and interest."

SECTION 4. Section 8-592.2 added—collective investment fund to be considered as a whole.—The Code of Laws of South Carolina, 1962, is amended by adding Section 8-592.2, which shall read as follows:

"Section 8-592.2. In order to determine whether the investment of funds received or held by the trust institution as fiduciary in a participation in a collective investment fund is proper, the trust institution may consider the collective investment fund as a whole and shall not, for example, be prohibited from making such investment because any particular asset is non-income producing."

SECTION 5. Section 8-595 amended—maximum amount of certain investments.—Section 8-595, Code of Laws of South Carolina, 1962, is amended by striking it out and inserting:

"Section 8-595. No funds or other property shall be invested in a participation in a collective investment fund if as a result of such investment the participant would have an interest aggregating in excess of ten per cent of the then market value of the fund. *Provided,* that in applying this limitation, if two or more accounts are created by the same person or persons and as much as one-half of the income or principal of each account is payable or applicable to the use of the same person or persons such accounts shall be considered as one."

SECTION 6. Section 8-598 amended—trust institutions not to show interest in fund.—Section 8-598, Code of Laws of South Carolina, 1962, is amended by striking it out and inserting:

"Section 8-598. No trust institution administering a collective investment fund shall issue any certificate or other document evidencing a direct or indirect interest in such fund in any form."

SECTION 7. Section 8-599.1 amended—not to invest in own fund.—Section 8-599.1, Code of Laws of South Carolina, 1962, is amended by striking it out and inserting:

"Section 8-599.1. A trust institution shall not invest any of its own funds in a common trust fund administered by it, and if the trust

institution, because of a creditor relationship or for any other reason, acquires any interest in a participation in such common trust funds, the participation shall be withdrawn on the first date on which such withdrawal can be effected. However, in no case shall an unsecured advance to an account holding a participation until the time of the next withdrawal be deemed to constitute the acquisition of an interest by the trust institution."

SECTION 8. Section 8-599.3 amended—annual audit.—Section 8-599.3, Code of Laws of South Carolina, 1962, is amended by striking it out and inserting:

"Section 8-599.3. At least once during each period of twelve months, the trust institution shall cause an audit to be made of the common trust fund by auditors responsible only to the board of directors of the trust institution. The report of such audit shall include a list of the investments comprising the common trust fund at the time of the audit, which list shall show the valuation placed on each item as of the date of the audit, a statement of purchases, sales and other investment changes, and of all income and disbursements during the period to which the audit relates. The period of the first audit shall commence with the establishment of the common trust fund and the period of each succeeding audit shall commence at the end of the period covered by the preceding audit.

The audit may include a description of the funds value on previous dates as well as its income and disbursements during previous accounting periods. The report shall make no reference to the performance of funds other than those administered by the trust institution and no predictions or representations as to future results.

A copy of the financial report shall be furnished, or notice shall be given that a copy of such report is available and will be furnished without charge upon request, to each person to whom a regular periodic accounting would ordinarily be rendered with respect to each participating account. The report, in such summarized form as prescribed by the Comptroller of the Currency, for National Banks and by the State Board of Bank Control for State Banks, shall be published in a newspaper of general circulation in the place where the principal office of the trust institution is located. In addition, a full report shall be furnished upon request to any person, and the fact of the availability of such material may be given publicity solely in connection with the promotion of the fiduciary services of the trust institution. Except as herein provided, the trust institution shall not

advertise or publicize its collective investment funds. The cost of printing, publication and distribution of the report shall be borne by the trust institution."

SECTION 9. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of June, 1965.

(R498, H1627) **No. 347**

An Act To Repeal Sections 2-451 Through 2-459, Code Of Laws Of South Carolina, 1962, Relating To The Williamsburg County Aeronautics Board.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Sections 2-451 through 2-459 repealed.—Sections 2 451 through 2-459, Code of Laws of South Carolina, 1962, are repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of June, 1965.

(R503, H1734) **No. 348**

An Act To Exempt Property Of Central TB And Health Association, In Columbia, From All Taxes.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Property of Central TB and Health Association exempt from taxes.—The property of Central TB and Health Association, located at 1817 Gadsden Street in the City of Columbia, containing one quarter of an acre measuring 52′ 8″ on eastern and western boundaries and 208′ 8″ on its southern and northern boundaries, shall be exempt from all county, municipal and special taxes as long as used for this purpose.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of June, 1965.

(R504, H1597)

No. 349

An Act To Empower Municipalities Exercising The Power To Construct And Operate Sewage Collection And Disposal Facilities To Impose And Enforce The Payment Of Sewer Service Charges; To Contract With Public Or Private Agencies Operating Water Systems For The Collection Of Sewer Charges; To Adopt And Enforce Ordinances Requiring Property In The Municipality To Connect To And Use The Municipal Sewage Collection Facilities And Regulating Generally The Use Of Sewage Facilities; To Impose Front Foot Assessments Against Property Abutting Its Sewer Lines; And To Make Unpaid Sewer Charges A Lien Against The Property Served.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly takes note of the fact that incorporated cities and towns (municipalities) throughout the State have in many instances experienced considerable growth with the result that sewage collection and treatment facilities must be extended and enlarged in order to serve all of the persons residing within the corporate limits. Such extensions and enlargements are customarily paid from ad valorem taxes levied throughout the municipality and from sewer service charges. However, it appears that in some instances the cost of constructing all or a portion of such facilities can be more equitably distributed by assessing all or a portion of the cost of constructing sewer laterals against the properties facing thereon.

The General Assembly concludes that in order to facilitate the construction and operation of sewer systems by municipalities, all municipalities should be granted all of the powers set forth in this act.

In view of the foregoing, the General Assembly has determined to confirm in the governing body of each municipality the power: (1) to place into effect, revise, enforce, and collect a schedule of charges for its sewage collection service and (2) to adopt and enforce regulations requiring all properties to which sewer service is available to connect to the municipality's sewage collection facilities as now existing or hereafter improved; and to give the governing body of each municipality in addition to those powers already vested in them, the power: (a) to contract with any public or private agency operating a water system for the collection of such sewer charges;

(b) to make regulations generally with respect to the discharge of sewage and the use of privies, septic tanks and any other type of sewage facilities; (c) to impose front foot assessments against properties abutting the sewage collection laterals; and (d) to make unpaid sewer service charges a lien against the property served.

It is the legislative intent of this act that it shall be deemed complementary and supplementary to existing laws relating to any municipalities and to add to the powers, functions and duties committed to the several governing bodies thereof in order that all municipalities may fulfill their function of preserving the public health, and provide for all those who own, use or occupy dwellings, commercial buildings or other structures therein. In enacting this law, the General Assembly exercises its general police powers having found that such exercise was necessary for the maintenance and preservation of the health of the inhabitants of the State. Nothing herein contained shall be construed to be in derogation of the powers of the State Board of Health.

SECTION 2. Definitions. For all purposes of this act:

(a) The term "municipality" shall mean any incorporated city or town now or hereafter existing;

(b) The term "council" shall mean the governing body of any municipality as now or hereafter constituted;

(c) The term "water distribution agency" shall mean any public or private agency operating a water distribution system within any municipality or any portion thereof;

(d) The term "sewage" shall mean domestic or industrial waste requiring collection, disposal and treatment;

(e) The term "sewer service charge" shall mean the monthly, quarterly or annual charge imposed by any municipality for the collection, treatment and disposal of sewage irrespective of whether the same shall be collected by a water distribution agency or whether it shall be assessed against the property served as provided by Section 3 of this act;

(f) The term "sewer connection charge" shall mean the charge imposed upon property owners as a condition to authorizing them to connect to and discharge sewage into any public sewer system; and

(g) The term "front foot assessment" shall mean the assessment levied to reimburse a municipality for that portion of the cost of installing sewer laterals (collection lines) imposed by the council on a front foot basis.

SECTION 3. Powers of councils.—Each council is empowered by ordinance duly adopted:

(1) To place into effect and revise whenever it so wishes or may be required a schedule of sewer service and sewer connection charges for the use of and connection to any sewage disposal system which it may operate. Prior to the furnishing of any sewage disposal service for which the prescribed sewer service charge shall, pursuant to Section 4 of this act, become a lien on the property affected and prior to any subsequent increase in any such sewer service charge, not less than ten days' written notice shall be given to each affected property owner notifying him of the nature and quantum of the sewer service charge and providing such property owner an opportunity if desired and requested, to appear and be heard in person or by counsel before the council. Following such hearing, if such be requested and held, action shall be taken by the council and notice of its decision shall be given to the property owner concerned or to his counsel, as the case may be, not less than ten days prior to the effective date of the sewer service charge. Any property owner aggrieved by the action of the council may proceed by certiorari in the court of common pleas for the county in which the property affected or any part thereof lies to have such court review the action taken by the council, at which time the court will determine the validity and reasonableness of the sewer service charge so made. Sewer service charges not intended to become liens in the case of nonpayment can be imposed and subsequently increased upon any user in the municipality without such notice and hearing.

(2) To enter into contracts with any water distribution agency upon terms and conditions to be mutually agreed upon by which the council shall constitute the water collection agency the agent of the council, for the purpose of collecting such sewer service charges as the council shall from time to time impose upon those who utilize its sewage disposal facilities and shall empower the water collection agency as such agent to disconnect water service upon failure of any user to pay such sewer service charges.

(3) To prescribe and enforce regulations (a) requiring persons who shall be residents of the municipality to make use of any sewer system which the municipality shall from time to time operate; and (b) generally with respect to the discharge of sewage and the use of privies, septic tanks and other sewage facilities within the municipality.

(4) To provide that the actual cost of the establishment and construction of any sewer lateral collection lines hereafter constructed by the municipality and any extensions thereof within the municipality, or so much of the actual cost thereof as the council in its discretion deems appropriate, shall be assessed subject to the provision of the succeeding paragraph, upon the lots and parcels of land abutting directly on such lateral lines or extensions thereof according to the extent of the respective frontage thereon, by an equal rate per foot of such frontage; but the council may, in its discretion, provide, in the instance of corner lots, for an assessment deemed to be equitable. The council may provide in such resolution that the front foot assessments to be levied in connection with such installations may be paid in equal installments covering a period of not exceeding ten years. Such deferred payments shall be payable annually within the period that county taxes are payable and late payments shall be penalized to the same extent as in the case of county taxes. The General Assembly does not intend through this enactment to permit assessments against abutting property where no benefit will result to such property or where any such benefit would result only at some remote future time. Accordingly, no council shall, pursuant to this act, impose any front foot assessment against any property unless the assessment is being used for or is devoted to commercial or residential purposes at the time of the assessment or unless, in the case of properties on which no buildings shall be situate, such properties shall have been platted or otherwise developed as a part of a subdivision devoted to residential or commercial purposes; if any such property, which pursuant to the provisions of this paragraph is exempt from front foot assessment at the time the assessment is originally levied, is later converted to commercial or residential purposes or is later platted or otherwise developed then at such time front foot assessments may be levied against such property. No individual parcel shall be assessed on the basis of more than two hundred fifty feet of frontage.

In connection with the imposition of such front foot assessments:

(a) The ordinance providing for such front foot assessments shall designate by a general description the improvement to be made and the street or parts thereof whereon the work is to be effected and the actual cost thereof and the amount of the cost to be assessed upon all abutting property subject to the provisions of the preceding paragraph and the terms and manner of payment. Such ordinance shall not become effective until at least seven days after it shall have

been published in a newspaper of general circulation in the municipality. Such ordinance may incorporate by reference plats and engineering reports and other data on file in the council's office provided that the place of filing and reasonable hours for inspection by interested persons are specified in the ordinance.

(b) Upon the completion of the construction of any such sewer laterals or any extensions thereof the council shall compute and ascertain the total cost thereof and shall thereupon make an assessment of such total cost or so much thereof as it deems appropriate. For that purpose the council shall make out an assessment roll in which must be entered the names of the persons assessed and the amount assessed against their respective properties with a brief description of the lots or parcels of land assessed.

(c) Immediately after such assessment roll has been completed, the council shall forthwith cause one copy thereof to be deposited in the council's office for inspection by interested parties, and shall cause to be published at least once in a newspaper of general circulation within the municipality a notice of completion of the assessment roll setting forth a description in general terms of the improvements and the time fixed for the meeting of the council for a hearing of objections in respect of the front foot assessments; such meeting not to be earlier than ten days from the date of the publication of such notice.

(d) As soon as practicable after the completion of the assessment roll and prior to the publication of the notice above mentioned in subparagraph (c) the council shall mail to the owner or owners of each lot or parcel of land against which a front foot assessment is to be levied at his or their address, if any, appearing on the records of the treasurer of the municipality, a notice stating the nature of the improvement, the total cost thereof, the amount to be assessed against the particular property and the frontage in feet upon which the front foot assessment is based, together with the terms and conditions upon which the front foot assessment may be paid. This notice shall also contain a brief description of the particular property involved together with a statement that the amount assessed shall constitute a lien against the property superior to all other liens except property taxes. The notice shall also state the time and place fixed for the meeting of the council above mentioned for a hearing of objections in respect of the front foot assessments. Any property owner who fails, not later than three days prior to the date set for such meeting,

to file with the council a written objection to the front foot assessments against his property shall be deemed to have waived all rights to object to such front foot assessment; and the notice prescribed herein shall so state.

(e) At the time and place specified for the meeting above mentioned, or at some other time to which it may adjourn, the council shall hear the objections of all persons who have filed written notice of objection within the time prescribed above who may appear and make proof in relation thereto either in person or by their attorney. The council may thereupon make such corrections in the assessment roll as it may deem proper, confirm the same, set it aside and provide for a new assessment. Whenever the council shall confirm an assessment roll, either as originally prepared or as thereafter corrected, a copy thereof certified by the secretary of the council shall forthwith be filed in the office of the clerk of court of common pleas of each county in which any property lies, and against which any front foot assessments have been levied; from the time of such filing the front foot assessments impressed in the assessment roll shall constitute and be a lien on the real property against which the same are assessed superior to all other liens and encumbrances except only the lien for property taxes.

(f) After the assessment roll has been confirmed a certified copy thereof shall be delivered to the treasurer of such municipality in which any front foot assessments are levied thereby who shall prepare and keep a separate book or books in connection therewith and who shall proceed to collect the same in the manner of municipal taxes and shall remit such collections on or before April fifteenth of each year upon the direction of the council. Each year the treasurer of the municipality shall mail out notices of such front foot assessments at the same time county tax notices are mailed. Past due front foot assessments shall be turned over by the respective municipal treasurers to the sheriff or delinquent tax collector of the municipality who shall proceed to collect in the same manner as unpaid municipal taxes are collected. The collecting official shall likewise keep separate records in connection with such past due assessments and shall remit all sums collected forthwith upon the direction of the council.

(g) Immediately upon the confirmation of an assessment the council shall mail a written notice to all persons who have filed written objections as hereinabove provided of the amount of the

front foot assessment finally confirmed against his property. If any such person is dissatisfied with the amount of the front foot assessment so confirmed and shall within ten days after the mailing of the notice confirming the assessment to him may give written notice to the council of his intent to appeal his front foot assessment to the court of common pleas for the county in which his property is assessed, or any part thereof, is located, and shall within five days after giving such notice to the council serve upon the council a statement of facts upon which he bases his appeal; but no such appeal shall delay or stop the construction of the improvements or affect the validity of the front foot assessments confirmed and not appealed. The appeal shall be tried at the next term of court as other actions at law with priority over all other cases.

(h) The council may correct, cancel or remit any such front foot assessment and may remit, cancel or adjust the interest or penalties of any front foot assessment and is empowered, when in its judgment there is any irregularity, omission, error or lack of jurisdiction in any of the proceedings relating thereto, to set aside the whole of any assessment made by it and thereupon to make a reassessment.

(i) In the event the council provides that such front foot assessments may be paid in equal annual installments, then in that event the front foot assessment shall be deemed to be due and payable in the equal annual installments prescribed by the council and shall bear interest at the rate of four per cent per annum from the date of the confirmation of the assessment roll, payable with such annual installment. Any property owner shall have the right at any time in his option to prepay in full the front foot assessment against his property by the payment of the balance due plus interest calculated to the date of prepayment. If any property owner shall fail or neglect to pay any installment when the same becomes due and payable, then and in that event the council may, at its option, declare all of the installments remaining unpaid at once due and payable and such property shall be sold by the sheriff in the same manner and with the same right of redemption as are prescribed by law for the sale of land for unpaid property taxes.

(j) All monies realized from front foot assessments shall be kept in a separate and distinct fund either on deposit with the municipal treasurer or, in the discretion of the council, in a bank located within the county in which the municipality is located and used to defray the cost

to the extent prescribed by the council in the ordinance providing for such front foot assessments of the establishment and construction of the sewage lateral collection lines in connection with which the front foot assessments were levied, or to provide debt service on bonds issued by the municipality to defray the costs of such construction; and for no other purpose. In the event a municipality issues bonds and uses only a portion of the proceeds thereof to defray all or a part of the cost of constructing sewer lateral collection lines, monies derived from the front foot assessments shall be used to provide debt service to the extent prescribed in the ordinances providing for the imposition of the front foot assessments and authorizing the issuance of the bonds.

(k) Monies received by the council from front foot assessments and deposited by it as prescribed in the foregoing paragraph may to the extent practicable be invested in the discretion of the council in obligations of the United States of America, obligations of any agency of the United States of America or obligations guaranteed by any agency of the United States of America, maturing in such fashion as to provide cash monies for the principal and interest payments of bonds payable therefrom when due. All income derived from any such investment shall be applied to the same purpose to which the invested funds are applicable.

(l) Whenever monies derived from the front foot assessments are deposited in a bank, the amount of such deposits in excess of the amount insured by the Federal Deposit Insurance Corporation shall be secured by direct obligations of the United States or by obligations of an agency of the United States or by obligations guaranteed by an agency of the United States. Nothing herein shall be construed to prohibit the council from requiring such additional security as it may deem appropriate.

SECTION 4. Unpaid charges to constitute lien.—If the notice or notices prescribed by paragraph (1) of Section 3 of this act shall have been given and any hearing requested pursuant thereto shall have been held, all sewer service charges imposed by the council following that procedure under authority of this act and not paid when due and payable shall be and constitute a lien upon the real estate to which the sewage service concerned relates so long as the sewer service charges remain unpaid. In addition to such other rights and remedies as may be available to the council in law or in equity for the collection of the sewer service charges, the lien may be en-

forced by the council in the same manner and fashion as the lien of property taxes on real estate. The lien herein provided shall be superior to all other liens except liens for unpaid property taxes.

The method provided in this act for the enforcement of the collection of past due sewer service charges shall not be the exclusive method of enforcing such collections and the council is fully empowered to enforce the collection of any such sewer service charges in any other lawful manner in all or any part of the municipality, including particularly by way of a contract with a water distribution agency as authorized under paragraph (2) of Section 3.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of June, 1965.

(R505, H1713)

No. 350

An Act To Provide Supplemental Appropriations For Operation Of Certain State Agencies For The Fiscal Year 1964-65; To Further Regulate The Expenditure Of Funds Therefor; To Authorize The Issuance Of State Notes Not In Excess Of $500,000.00 For The Construction Of Expanded Facilities For The Riverside School For Girls At A New Location; To Authorize The Issuance Of Notes In The Sum Of $200,000.00 By The South Carolina State College For The Construction Of Additional Facilities; To Validate Action Of The State Budget And Control Board In Refinancing Indebtedness Incurred For The South Carolina Department Of Corrections; To Amend Section 9, Part II, Act No. 284, Acts Of 1963, By Increasing By $1,000,000.00 The Amount Authorized For A New Facility For Retarded Children; To Amend Section 1-467, Code Of Laws Of South Carolina, 1962, By Extending The Provisions Thereof To All State Correctional Institutions; To Allow Certain Former Constitutional Officers To Continue As Members Of The South Carolina Retirement System; And To Amend Section 61-105, Code Of Laws Of South Carolina, 1962, As Amended, Relating To Service Retirement Allowances, So As To Allow Certain Nonmembers Who Have Passed The Mandatory Age Of Retirement To Qualify For Such Retirement Allowances; To Amend Section 6, Of Act No.

821, Acts Of 1956, As Amended, Relating To The Security Pledged For The Payment Of Obligations Of The State Ports Authority; And Further Relating To The Fiscal Affairs Of The State Of South Carolina.

Be it enacted by the General Assembly of the State of South Carolina:

PART I

SECTION 1

The following sums of money, if so much be necessary, are hereby appropriated out of the General Fund of the State to supplement appropriations heretofore made for the operation of the State Government during the fiscal year 1964-65 and for such other purposes as may be set forth herein.

SECTION 2

Legislative Department

Item 1. The Senate:		
B-2. Mileage (9¢ per mile)	$	2,600.00
Approved Accounts		70,000.00
Repairs to Senate Balcony		25,000.00
Item 2. House of Representatives:		
B-2. Mileage (9¢ per mile)	$	5,703.94
Approved Accounts		84,305.89
Item 3. Special Services for Both Houses:		
Approved Accounts	$	12,000.00
Item 4. Codification of Laws and Legislative Council:		
Approved Accounts	$	25,000.00
Total	$	224,609.83

Provided, That $1,070.69 of the amount appropriated in this Section for Approved Accounts for the House of Representatives shall be expended for the purchase of electric typewriters for the Ways and Means Committee, Judiciary Committee and Education Committee of the House.

SECTION 3

Governor's Office

Item 3. Law Enforcement:		
For Construction of new facilities for Law Enforcement Division	$	350,000.00

SECTION 4

Secretary of State

Item 1. Keeping State Records:
Election Expenses ..... $ 3,000.00

SECTION 5

Comptroller General's Office

Item 3. Elections:
Election Expenses ..... $ 9,000.00

SECTION 6

Attorney General

Item 2. For State Litigation:
Other Fixed Charges:
Expenses of Habeas Corpus Matters ..... $ 15,000.00
Provided, That any unexpended balance in this appropriation on June 30, 1965 may be carried forward and expended for the same purpose in the year 1965-66.

SECTION 7

State Treasurer's Office

Item 3. Payment of Bonded Debt:
Payment of Bonded Debt ..... $ 187,896.26

SECTION 8

Adjutant General's Office

For Construction of Armories:
Walterboro Armory ..... $ 55,000.00
Florence Armory 55,000.00
Orangeburg Armory 55,000.00

Total ..... $ 165,000.00

SECTION 9

Clemson University (Educational and General)

TR-48 Analog Computer Components ..... $ 19,800.00
Provided, That any unexpended balance in this appropriation on June 30, 1965 may be carried forward and expended for the same purpose during the year 1965-66.

SECTION 10

Medical College

Repairs—Medical College Building	$	55,000.00
Repairs and Alterations—Medical College Hospital		45,000.00
Repairs—Porter property buildings		50,000.00
Site development—Porter property		50,000.00
Total	$	200,000.00

SECTION 11

S. C. State College

For Construction of Health and Physical Education Facilities	$	200,000.00

SECTION 12

John de la Howe School

For Repairs to Existing Facilities	$	98,102.00
For Construction and Equipment of new Cottage		73,500.00
Total	$	171,602.00

SECTION 13

School for the Deaf and the Blind

Additional Facilities for Aphasic Children	$	90,000.00

SECTION 14

Superintendent of Education's Office

Item 4. Special Services:		
State Aid for Teachers' Salaries	$	2,454,399.00
Non-Teaching Principals, Librarians, Guidance Counsellors, Special Teachers		322,800.00
Supervision and Overhead		24,370.00
Maintenance and Operation		30,462.50
For Matching Federal Funds Under National Defense Education Act: For Strengthening Curriculum—Title III		33,665.50
Item 5. Special Schools:		
For Construction of Shop Building at Denmark Area Trade School		90,000.00
Total	$	2,955,697.00

Provided, That the $33,665.50 appropriated in this Section for National Defense Education Act (For Strengthening Curriculum—Title III), may be carried forward and expended for the same purpose in the year 1965-66.

SECTION 15

S. C. Opportunity School

For Construction of two Dormitories .....$. .600,000.00

SECTION 16

Educational Finance Commission

Item 3. Transportation:

Bus Purchases .....$ 450,000.00

Provided, That the above amount may be carried forward and expended for the same purpose in the year 1965-66.

SECTION 17

S. C. Educational Television Commission

For the Acquisition and/or Operation of an Open Circuit Outlet for the Midland Section of the State .....$ 250,000.00

Provided, That any unexpended balance in this appropriation at the end of the fiscal year 1964-65 shall be carried forward and made available for the same purpose in the year 1965-66.

SECTION 18

State Library

For Administration:

Printing, Advertising and Binding:

Printing of State House Guide Books .....$ 2,000.00

SECTION 19

Whitten Village

For Maintenance .....$ 25,000.00

SECTION 20

South Carolina Sanatorium

County Sanatoria	$	31,000.00
Boiler Replacement		37,154.00
Total	$	68,154.00

SECTION 21

S. C. Alcoholic Center

For Matching Federal Funds for Expanding Buildings and Equipment	$	10,765.00

SECTION 22

Department of Corrections

Operation of Penal Institutions	$	7,500.00
For Construction of Psychiatric Ward		400,000.00
For Construction of Facilities for Maintenance and Construction Division		40,000.00
Total	$	447,500.00

SECTION 23

S. C. School for Boys

For Renovation of Central Building	$	23,340.00

SECTION 24

S. C. School for Girls

For Improvements to Fire Protection System	$	3,925.00

SECTION 25

John G. Richards School for Boys

For Maintenance	$	10,000.00
For Construction of Gymnasium		170,000.00
Total	$	180,000.00

SECTION 26

Riverside School for Girls

For Maintenance	$	4,000.00
For Construction of Facilities at New Location		200,000.00
Total	$	204,000.00

SECTION 27

State Budget and Control Board

Section 2. Division of General Services:

Repairs: State House (For House Air Conditioning System, and House Elevator)	$	70,000.00

Repairs: Governor's Mansion—	
Repairs	10,000.00
Equipment	25,000.00
Repairs: J. Marion Sims Building (For completion of Parking Area)	34,821.00
For Completion of Renovation of State House and Existing State Office Buildings	56,000.00
For Moving State Agencies into New Quarters	47,144.00
Section 5. Retirement:	
State Retirement System	585,000.00
Total	$ 827,965.00

SECTION 28

Department of Agriculture

Item 6. General Operating:	
Printing and Advertising: Market Bulletin and Expense	$ 2,000.00
Office Supplies	7,000.00
Motor Vehicle Supplies	1,500.00
Other Supplies	3,000.00
Total	$ 13,500.00

SECTION 29

State Forestry Commission

Item 2. Division of State Parks ..... $ 48,550.00

Provided, That the State Forestry Commission is authorized to carry forward $24,000.00 of unexpended funds at the close of 1964-65 for the purpose of purchasing the Ridge Nursery property in accord with the terms of the contractual agreement between the Commission and owner of such property.

SECTION 30

Clemson University (Public Service Activities)

Item 1. Agricultural Research:	
For Purchase of Coulter Counter and Refrigerated Centrifuge with High Speed Attachment	$ 12,000.00

Provided, That any unexpended balance in this appropriation at the end of the fiscal year 1964-65 may be carried forward and made available for the same purpose in the year 1965-66.

SECTION 31

Industrial Commission

B-3. Telegraph and Telephone	$	900.00
C-4. Office Supplies		2,000.00
Total	$	2,900.00

SECTION 32

Wildlife Resources Department

Item 5. Outdoor Recreation:		
For Matching Federal Funds—Development of Plan for Outdoor Recreation Program	$	20,000.00

SECTION 33

S. C. Aeronautics Commission

Item 8. State Aid for Airport Developments:		
Camden Airport	$	39,000.00
Sumter Airport		24,500.00
Cheraw Airport		21,000.00
Anderson Airport—For Lighting		4,000.00
For Purchase and Operation of New Plane		80,000.00
Total	$	168,500.00

Provided, That the amount appropriated in this Section for purchase of a new plane shall be the acquisition of a twin engine, six passenger, fully instrumented plane. *Provided, Further,* That the amount appropriated for this purpose may be carried forward and be available for such purpose in the year 1965-66.

Provided, That all amounts heretofore appropriated for State Aid for Airport Developments unexpended at the close of the year 1964-65 shall be carried forward and made available for the same purpose in 1965-66.

SECTION 34

Miscellaneous Appropriations

Item 4. Regional Education Board:		
Scholarships	$	5,000.00
Item 16. Forest Study Committee		5,000.00
Item 33. Highway Department—Beach Erosion Control		100,000.00
Total	$	110,000.00

Provided, That the unexpended balance appropriated herein on June 30, 1965 for the Forest Study Committee may be carried forward and expended for the same purposes in 1965-66.

SECTION 35

All amounts appropriated in this Act for construction or other purposes in the nature of permanent improvements shall remain available for the purposes for which appropriated through the fiscal year 1966-67.

GRAND TOTAL ..... $ 8,059,704.09

SECTION 36. The State Library Board $317,000.00

Provided, that the above appropriation shall be used in conjunction with available Federal funds for the construction of a new building to house the activities of the State Library Board. The site for the said building and plans therefor shall be approved by the State Budget and Control Board.

Provided, further, this appropriation shall be from the General Fund for the fiscal year commencing July 1, 1965.

SECTION 37. There is hereby created a committee to study and formulate a retirement plan for members of the General Assembly. The Committee shall be composed of three members of the Senate to be selected by the President of that body, three members of the House of Representatives to be appointed by the Speaker of that body and the Director of the South Carolina Retirement System, ex officio.

The committee shall report its findings and recommendations to the General Assembly at the beginning of the 1966 session of the General Assembly.

There is appropriated from the general fund of the State the sum of three thousand dollars, if so much be necessary to pay the expenses of the committee.

End of Part I

PART II

Permanent Provisions

SECTION 1

It is hereby declared to be the intent of the General Assembly that the following sections shall constitute a part of the permanent laws of the State of South Carolina, and the Code Commissioner

is hereby directed to include same in the next edition of the Code of Laws of South Carolina, and all supplements to the Code.

SECTION 2

Riverside School for Girls

A. The General Assembly has found:

(1) That the existing facilities for the Riverside School for Girls are inadequate for present and future needs,

(2) That the location of said facilities is impractical for expansion to meet the present and future needs of this institution,

(3) That the facilities of the present institution, being located in near proximity to the John G. Richards School for Boys, can be used by the said John G. Richards School for Boys so as to relieve the need for further construction at the present time at that institution,

(4) That the most practical solution of this situation would be to turn over to the John G. Richards School the present facilities of the Riverside School and to construct new facilities for the Riverside School for Girls at a new location on land presently owned by the State.

B. To effectuate the findings of the General Assembly as above outlined the Governor and the State Treasurer, having first obtained the approval of the State Budget and Control Board (hereinafter referred to as the Board), expressed by proper resolution, shall be empowered to issue notes of the State to the extent of not exceeding $500,000.00, to be used in conjunction with an appropriation of $200,000.00 provided in this Act to accomplish the said purpose. The notes shall mature in twenty successive annual installments, each maturing on anniversaries of the date the notes bear. The notes may, at the discretion of the Board, be made subject to redemption prior to their stated maturities on such occasions and under such conditions as the Board shall prescribe. The notes shall bear interest payable annually or semi-annually, at such rate or rates as the Board may prescribe.

C. The notes issued pursuant to this section shall be signed by the Governor and the State Treasurer. The Great Seal of the State shall be affixed to or reproduced upon each of them, and each shall be attested by the Secretary of State. The delivery of the notes so executed and authenticated shall be valid notwithstanding any changes in officers or seal occurring after such execution or authentication.

The notes shall be in such form as the Board shall prescribe, and may be issued as a single fully registered note.

D. The principal and interest on the notes issued pursuant to this section shall have the tax exempt status prescribed by Section 65-4.1, Code of Laws of South Carolina, 1962.

E. For the payment of the principal of and interest on the notes issued pursuant to this section there shall be pledged so much thereof as may be needed of the revenue derived from the tax imposed pursuant to Article 1, Chapter 12, Title 65, Code of Laws of South Carolina, 1962. Until payment of such principal and interest has been made or has been provided for, all sums received in each fiscal year from the tax referred to above shall be delivered to the State Treasurer and shall be applied by him to the payment of the principal and interest, and to the debt servicing of other outstanding obligations of the State also secured by a pledge of such revenues. Thereafter, further revenues from such tax for such fiscal year may be used for other purposes. The General Assembly takes note of the fact that there are presently outstanding obligations of the State of South Carolina payable from the tax pledged, and it is hereby declared that the notes authorized by this section shall in all respects be on a parity with such outstanding obligations. The pledge of revenues derived from the tax herein referred to shall not preclude the issuance by the State of further obligations secured, in whole or in part, by a pledge of such revenues on a parity with the pledge herein authorized, nor shall the pledge of revenue derived from such tax preclude the revision of such tax as to rate or method, either or both, if the State Auditor shall certify that his estimate of the revenue to be derived annually from the tax as thus revised will not be less than one hundred and twenty-five per cent of that sum which is equal to the maximum annual principal and interest requirements on all notes or obligations of the State for which the revenues derived from this tax have been pledged. The certificate shall be appended to the enrolled act and be presented to the Joint Assembly on the occasion the act is presented for ratification.

F. The Board may, in its capacity as Trustee of the funds of the South Carolina Retirement System, purchase the notes herein authorized as an investment of the funds.

G. The proceeds derived from the sale of the notes authorized by this act shall be deposited with the State Treasurer and shall be expended by or on behalf of the purposes provided for in this section.

SECTION 3

S. C. State College

A. The General Assembly finds that South Carolina State College is in need of improved health and physical education facilities estimated to cost $1,000,000.00. It is further noted that the College presently has authority under Act No. 139, Acts and Joint Resolutions of 1953, to issue $600,000.00 of State Institution Bonds and further that the sum of $200,000.00 has been directly appropriated for this purpose under Part I of this Act, leaving $200,000.00 for which further provision must be made.

B. For the purpose of improving its health and physical education facilities, South Carolina State College is hereby authorized to issue its negotiable notes in an amount not to exceed $200,000.00. The notes shall mature in annual amounts not to exceed a period of twenty years. Interest rate on the notes and other terms and conditions under which they are issued shall be subject to the approval of the State Budget and Control Board.

C. The State Budget and Control Board, in its capacity as Trustees of the funds of the South Carolina Retirement System, is authorized to invest Retirement System funds in the notes authorized herein.

D. For the payment of the notes authorized herein South Carolina State College is directed to impose a student fee of $15.00 per year, which fee shall continue in force until such time as the notes authorized herein shall have been paid in full. The proceeds of this fee shall be available only for the purpose of meeting interest and principal payments on the notes.

SECTION 4

Budget and Control Board

The action taken by the State Budget and Control Board in refinancing the indebtedness incurred for the South Carolina Department of Corrections and evidenced by a Note dated November 1, 1962, so as to provide that the principal installments be paid as follows, viz.:

$ 25,000.00 on November 1 in the years 1966 to 1969, inclusive;
$ 50,000.00 on November 1 in the year 1970;
$ 75,000.00 on November 1 in the years 1971 and 1972;
$100,000.00 on November 1 in the years 1973 to 1976, inclusive;
$125,000.00 on November 1 in the years 1977 to 1980, inclusive; and
$150,000.00 on November 1 in the years 1981 and 1982,

is hereby ratified, approved and confirmed, and said Notes so issued are hereby declared valid and binding obligations according to their tenor and effect.

SECTION 5

Retarded Children's Habilitation Center

Section 9 of Part II, of Act No. 284, Acts and Joint Resolutions of 1963, is amended as follows:

In paragraph 3 by striking out the words and figures "two million dollars ($2,000,000.00)" on line 6, and inserting in lieu thereof the words and figures "three million dollars ($3,000,000-.00)"; in paragraph 6 by striking out the figures "$2,000,000.00" on line 5, and inserting in lieu thereof the figures "$3,000,000.00" and by striking out the words and figures "five million forty thousand dollars ($5,040,000.00)" on line 13, and inserting in lieu thereof the words and figures "six million forty thousand dollars ($6,040,000.00)".

SECTION 6

Correctional Institutions

Section 1-467, Code of Laws of S. C. 1962, is amended by striking out the word "Penitentiary" on line 2 and inserting in lieu thereof the words "correctional institutions", so that when amended the said section shall read as follows:

"Section 1-467. Nothing in Section 1-466 shall prevent the South Carolina State Highway Department or the State's correctional institutions from constructing their own buildings with their own labor without such advertising."

SECTION 7

State Retirement System

A. Any constitutional officer who has been a member of the South Carolina Retirement System and who has at least ten years of creditable service either as a constitutional officer or as a member of the General Assembly, or a combination of both under the system and who has separated prior to the passage of this act may elect to come under the provisions hereof; provided, he makes such election on or before December 31, 1965, and has not withdrawn his contributions from the system. Such constitutional officer shall make yearly contributions to the system in an amount equivalent to contributions payable by active members of the General Assembly.

Any member of the General Assembly who may retire under the provisions of the South Carolina Retirement Act and has twenty or more years of creditable service shall be paid in the same manner as provided in Section 61-211 of the 1962 Code a monthly sum in addition to the retirement allowance he may receive under such act, to provide him a minimum of eighty dollars per month, plus one dollar per month for each completed year of such service in excess of twenty years. Should such member of the General Assembly elect to receive a reduced retirement allowance as provided in such act, he shall be paid under the provisions of this section only such amount as would be paid under this section had he not elected such optional allowance.

B. Section 61-105, Code of Laws of South Carolina, 1962, as amended, is further amended by adding at the end a new subsection to read as follows:

"(C) Any teacher or employee as defined in Section 61-1 (3) and (4) who was a nonmember of the South Carolina Retirement System and who had attained age seventy-two prior to July 1, 1964, and who at the time of separation from service had rendered twenty or more years of employment which would otherwise have been considered creditable service under the terms of the South Carolina Retirement Act may establish such service and qualify for a retirement allowance from the Retirement System provided they do so on or before December 31, 1965.

(1) The employee and employer contributions which would have been made had such service been rendered as a member shall be paid at the then prevailing rates paid by other employees and employers of the South Carolina Retirement System.

(2) The Retirement allowance provided by this section shall become effective as of the first day of the month in which such service is established.", so that the said section when amended shall read as follows:

"Section 61-105. (A) Upon retirement from service on or after July 1, 1964, a Class One member shall receive a service retirement allowance which shall consist of:

(1) An employee annuity which shall be the actuarial equivalent of his accumulated contributions at the time of his retirement; and

(2) An employer annuity equal to the employee annuity allowable at the age of sixty-five years or at age of retirement, whichever is less, computed on the basis of contributions made prior to the age of sixty-five years; and

(3) If he has a prior service certificate in full force and effect, an additional employer annuity which shall be equal to the employee annuity which would have been provided at age sixty-five or at age of retirement, whichever is less, by twice the contributions which he would have made during his entire period of prior service had the System been in operation and had he contributed thereunder during such entire period.

(B) Upon retirement from service on or after July 1, 1964, a Class Two member shall receive a service retirement allowance computed as follows:

(1) If the member's service retirement date occurs on or after his sixty-fifth birthday, such allowance shall be equal to one per cent of the portion of his average final compensation not in excess of the Social Security break-point, plus one and one-half per cent of the portion of such compensation in excess of such break-point, multiplied by the number of years of his creditable service.

(2) If the member's service retirement date occurs before his sixty-fifth birthday, his service retirement allowance shall be computed as in Item (1) above, but shall be reduced by five twelfths of one per cent thereof for each month by which his retirement date precedes the first day of the month coincident with or next following his sixty-fifth birthday.

(3) Notwithstanding the foregoing provisions, any Class Two member whose creditable service commenced prior to July 1, 1964, shall receive not less than the benefit provided by subsection (A) of this section.

(C) Any teacher or employee as defined in Section 61-1 (3) and (4) who was a nonmember of the South Carolina Retirement System and who had attained age seventy-two prior to July 1, 1964, and who at the time of separation from service had rendered twenty or more years of employment which would otherwise have been considered creditable service under the terms of the South Carolina Retirement Act may establish such service and qualify for a retirement allowance from the Retirement System provided they do so on or before December 31, 1965.

(1) The employee and employer contributions which would have been made had such service been rendered as a member shall be paid at the then prevailing rates paid by other employees and employers of the South Carolina Retirement System.

(2) The retirement allowance provided by this section shall become effective as of the first day of the month in which such service is established."

(C) This Section shall take effect July 1, 1965.

SECTION 8

State Ports Authority

Section 6 of Act 821 of 1956, as amended by Section 4, Part II, Act 207 of the Acts of 1961, is further amended by striking the second sentence and inserting in lieu thereof the following: "The revenues derived from such tax during each fiscal year shall be discharged from such pledge when provision has been made for the payment in full of the principal and interest of all State Ports Bonds matured or maturing in such fiscal year, and in addition there shall be applied to the payment of such bonds annually such amounts from the net revenues derived by the Authority from its operations, not pledged to the payment of revenue bonds of the Authority now or hereafter outstanding, which have been issued by the State Ports Authority pursuant to Article 5, Chapter 1, Title 54, Code of Laws of South Carolina, 1962, as shall from time to time be determined and directed by the State Budget and Control Board; and if the State Budget and Control Board shall, by resolution duly adopted, approve the issuance of bonds by the State Ports Authority pursuant to the provisions of Article 5, Chapter 1, Title 54, Code of Laws of South Carolina, 1962, payable from any specified revenues, such pledge shall preclude the use of such revenues for the payment of principal and interest of State Ports Bonds issued pursuant to Act 821 of 1956 as now or hereafter amended", so that the said section when amended shall read as follows:

"Section 6. For the payment of the principal and interest on all State Ports Bonds at any time issued and outstanding, there shall be pledged the full faith, credit and taxing power of the State of South Carolina, and in addition thereto, but subject to the provisions of this section, the entire amount of revenue derived from the tax levied on income, pursuant to Chapter 5, of Title 65, Code of Laws of South Carolina, 1962, as amended. The revenues derived from such tax during each fiscal year shall be discharged from such pledge when provision has been made for the payment in full of the principal and interest of all State Ports Bonds matured or maturing in such fiscal year, and in addition, there shall be applied to the payment of such bonds annually such amounts from the net revenues derived by the

Authority from its operations, not pledged to the payment of revenue bonds of the Authority now or hereafter outstanding, which have been issued by the State Ports Authority pursuant to Article 5, Chapter 1, Title 54, Code of Laws of South Carolina, 1962, as shall from time to time be determined and directed by the State Budget and Control Board; and if the State Budget and Control Board shall, by resolution duly adopted, approve the issuance of bonds by the State Ports Authority pursuant to the provisions of Article 5, Chapter 1, Title 54, Code of Laws of South Carolina, 1962, payable from any specified revenues, such pledge shall preclude the use of such revenues for the payment of principal and interest of State Ports Bonds issued pursuant to Act 821 of 1956 as now or hereafter amended. The pledge of such revenue derived from such tax shall preclude the repeal of such tax until such pledge has been fully discharged but it shall not preclude the revision of such tax as to rate, if the State Auditor shall certify that his estimate of the revenue to be derived annually from the tax as thus revised will not be less than one hundred and fifty per cent of that sum which is equal to the maximum annual principal and interest requirements on all State Ports Bonds outstanding, or then requested to be issued on the date such certificate bears. Such certificate shall be appended to the enrolled act and be presented to the Joint Assembly of the General Assembly on the occasion such act is presented for ratification."

"Section 9. Members of the General Assembly who have been members of the South Carolina Retirement System and a member of the General Assembly for at least eight years may elect to remain a member of the system within one year following termination of service in the General Assembly and shall make yearly contributions to the system in an amount equivalent to contributions payable by active members of the General Assembly. Such members may establish such service and qualify for a retirement allowance from the Retirement System provided they do so on or before December 31, 1965."

End of Part II

All acts or parts of acts inconsistent herewith are repealed.

This act shall take effect upon approval by the Governor except as otherwise specifically provided herein.

Approved the 28th day of May, 1965.

(R506, S117)

No. 351

An Act To Amend The Code Of Laws Of South Carolina, 1962, By Adding Section 25-165.1, So As To Provide For Appeals When Freeholders Fail To Determine Awards In Condemnations By Municipalities.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 25-165.1 added—right of appeal when freeholders fail to agree.—The Code of Laws of South Carolina, 1962, is amended by adding Section 25-165.1 to read as follows:

"Section 25-165.1. Should the freeholders fail to agree or make an award within ten days from the date they are sworn, then, in that event, the award or decision may be made by a majority of such freeholders. In the event a majority of the freeholders constituting the Board of Condemnation fail to agree within twenty days from the date they are sworn, then, in that event, the freeholders shall file a statement indicating their failure and inability to make an award with the clerk of court of the county where the real estate is located and the landowner or owners shall have the right to appeal as if an award were made and the municipality shall have the right to proceed as if an award were made and to proceed as set forth in Sections 25-166 and 25-167 of the Code of 1962."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R507, S142)

No. 352

An Act To Amend Sections 22-353 And 22-354, Code Of Laws Of South Carolina, 1962, Relating To The Board Of Trustees Of The Medical College Of South Carolina And Election Of Its Members, So As To Increase The Number Of Members Of The Board; To Provide That Certain Members Shall Represent Certain Areas And Professions; To Terminate The Terms Of Office Of The Present Members Of The Board, Establish The Terms Of Their Successors And Provide That No Member Of The Board Shall Be Elected Who Has Reached Seventy-Two Years Of Age

But A Member May Continue To Serve After Reaching His Seventy-Second Birthday Until The Expiration Of His Term.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 22-353 amended—board of trustees.—Section 22-353, Code of Laws of South Carolina, 1962, is amended by striking on line one the word "said" and inserting the word "the", by striking on line three the words "the Superintendent of Education", by striking on line five the word "medical" and inserting the words "military, municipal and public", and by striking on line six the word "eight" and inserting the word "twelve". The section when amended shall read as follows:

"Section 22-353. The management and control of the college shall be vested in a board of trustees, to be composed as follows, to wit: The Governor, the chairman of the committee on medical affairs of the Senate, the chairman of the committee on military, municipal and public affairs of the House of Representatives, ex officio, and twelve members to be elected by the General Assembly in joint assembly."

SECTION 2. Section 22-354 amended—election—terms—vacancies.—Section 22-354, Code of Laws of South Carolina, 1962, is amended by striking it out and inserting:

"Section 22-354. The present members of the board of trustees shall continue to serve until the effective date of this act, at which time their terms shall terminate and the members of the board to succeed the present members, and to fill the additional membership provided in this act, shall be elected at a joint session of the General Assembly on the following dates: on the first Wednesday in February, 1966, members representing the medical profession (medical doctor, dentist, registered nurse or licensed pharmacist) and on the second Wednesday in February, 1966, lay members or nonmedical members. One member of the medical profession from each congressional district and one layman or member of a nonmedical profession from each congressional district shall be elected. The terms of all members elected shall commence as of the effective date of this act. Of those first elected, the member who represents the medical profession from the first, second and third congressional districts and lay members or members of the nonmedical profession from the fourth, fifth and sixth congressional districts shall be elected for terms of four years or until their successors are elected and

qualify. The member of the board of trustees who represents the medical profession from the fourth, fifth and sixth congressional districts and the members who are laymen or members of nonmedical professions from the first, second and third congressional districts shall be elected for terms of two years or until their successors are elected and qualify. Their successors shall be elected for terms of four years or until their successors are elected and qualify. Any vacancy on the board of trustees shall be filled in the manner of the original election for the unexpired portion of the term."

SECTION 3. Time effective.—This act shall take effect July 1, 1966.

Approved the 8th day of June, 1965.

(R508, S150) **No. 353**

An Act To Exempt Licensed Veterinarians From Serving As Jurors.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Veterinarians exempt from jury service.—Notwithstanding any provision of law to the contrary, licensed veterinarians shall be exempt from service as jurors in any court of this State.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R509, S201) **No. 354**

An Act To Provide For The Testing Of Infants For Phenylketonuria.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Infants to be tested for phenylketonuria.—Every child born in any hospital licensed by the State Board of Health shall have a test for phenylketonuria. Testing and the recording of

the results of the tests shall be performed at such times and in accordance with such rules and regulations as may be prescribed by the board.

Provided, children of parents objecting to this test on religious grounds shall not be given this test.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R510, S236) **No. 355**

An Act To Amend Section 59-245, Code Of Laws Of South Carolina, 1962, Relating To The Petition Prerequisite To Election For Construction Of Municipal Utilities, So As To Require Twenty-Five Per Cent Of The Resident Freeholders To Sign Such Petition.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 59-245 amended—petition prerequisite to election.—Section 59-245, Code of Laws of South Carolina, 1962, is amended on line two by striking "the majority" and inserting "twenty-five per cent" and by adding at the end of the line after the word "the" the word "resident." The section when amended shall read as follows:

"Section 59-245. Before any election shall be held under the provisions of this article at least twenty-five per cent of the resident freeholders of the city or town, as shown by its tax books, shall petition the city or town council that such election be ordered."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R513, S286)

No. 356

An Act To Create The McCormick Economic Opportunity Commission And To Prescribe Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. McCormick County Economic Opportunity Commission created.—There is hereby created the McCormick County Economic Opportunity Commission.

SECTION 2. To be corporate body.—The commission is hereby declared to be a body politic and corporate and shall exercise and enjoy all the rights and privileges of such.

SECTION 3. Members.—The commission shall be composed of seven members who shall be appointed by the Governor upon the recommendation of the legislative delegation.

SECTION 4. Terms and vacancies.—The terms of office of the members of the commission shall be for two years or until their successors are appointed and qualify. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor. Of the initial appointees, three shall serve for one year.

SECTION 5. Officers.—Immediately upon the appointment of the commission, it shall organize by electing one of its members as chairman, a second as vice-chairman and a third as secretary and treasurer. The commission shall file a record of its members in the office of the Clerk of Court for McCormick County.

SECTION 6. Powers and duties.—The commission shall be responsible for the improvement of communication and cooperation among existing and future programs and the administration of one or more new programs designed to improve the health, education, welfare, housing or employment of the residents of McCormick County. To this end the commission shall be empowered as follows:

(a) to sue and be sued;

(b) to adopt, use and alter a corporate seal;

(c) to make bylaws for the management and regulation of its affairs;

(d) to appoint agents, employees and servants, to prescribe their duties, to fix their compensation, to determine if and to what extent they shall be bonded for the faithful performance of their duties;

(e) to undertake the improvement of communication and cooperation among existing and future programs administered by federal, state, county and municipal governmental agencies and private nonprofit organizations designed to improve the health, education, welfare, housing or employment of the county residents and, with the consent of such agencies and organizations, to coordinate same;

(f) to enter into contracts and agreements for performance of its programs and duties with federal, state, county and municipal governmental agencies and subdivisions thereof, and private nonprofit organizations;

(g) to accept and receive funds for the performance of its duties in the administration or its programs from such governmental agencies and subdivisions thereof and private nonprofit organizations, as well as any other sources;

(h) to designate an executive committee from among the members of the commission to which may be delegated one or more duties and responsibilities of the commission and, from time to time, to appoint one or more subcommittees composed of residents of McCormick County to advise and assist in the administration of its program and the performance of its duties;

(i) to maintain adequate accounts and records of its activities, receipts and expenses in conformance with requirements of any contract or agreement with any federal, state, county or municipal governmental agency, or subdivision thereof, or any private nonprofit organization; and

(j) to acquire, own or hold in trust, preserve, restore, maintain or lease property, facilities and equipment reasonably necessary for the performance of its duties and the administration of its programs.

SECTION 7. Exempt from taxes.—All property of the commission shall be exempt from all ad valorem taxes levied by McCormick County or any municipality therein, or any division, subdivision or agency thereof, directly or indirectly.

SECTION 8. Fiscal year and audit.—The commission shall conduct its affairs on the fiscal year basis employed by McCormick County. As shortly after the close of its fiscal year as may be practicable an audit of its affairs shall be made by a certified public accountant in good standing, to be designated by the commission. Copies of such audit, incorporated into an annual report of the commission, shall be filed with the McCormick County Legislative Delegation.

SECTION 9. Contracts not to be impaired.—The right to alter, amend or rescind this act is hereby expressly reserved and disclosed, but no such amendment or repeal shall operate to impair the operation of any contract otherwise made by the authority pursuant to any power conferred by this act.

SECTION 10. When action may be taken.—Any action required of the commission may be taken at any regular or special meeting, and at such meeting a majority of the members shall constitute a quorum.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R514, S306)

No. 357

An Act To Authorize The Treasurer Of Beaufort County To Invest Certain Surplus Funds In United States Government Obligations.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Beaufort County may invest certain money.—The Treasurer of Beaufort County may invest any sum of money not necessary for current expenses or which will apparently not be demanded for one month or more in treasury bills of the United States of America, or in securities of other governmental agencies of the United States; *provided,* however, that no maturity shall be for a longer period than one year from date of purchase. The interest, when collected, shall be added to the general fund of the county.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R515, S310)

No. 358

An Act To Amend Sections 12-751, 12-752 And 12-757, Code Of Laws Of South Carolina, 1962, Relating To Charitable, Social And Religious Corporations, So As To Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 12-751 amended—certificates may be issued to certain nonprofit corporations.—Section 12-751 of the Code of 1962 is amended to read as follows:

"Section 12-751. The Secretary of State may issue certificates of incorporation to any nonprofit corporations having no capital stock and organized under this chapter for any lawful purposes, including, but not limited to, religious, educational, social, fraternal, charitable or eleemosynary purposes other than for the insurance of life, health, accident or property."

SECTION 2. Section 12-752 amended—contents of declaration.—Section 12-752 of the Code of 1962 is amended by striking on line two "or company" and inserting ", company or corporation" so that, when so amended, the section shall read:

"Section 12-752. Any lodge, church, college, school, society, association, company or corporation organized for the purposes aforesaid may, not less than three days after having given public notice of its intention so to do by one publication in one or more newspapers published in the county in which the organization is perfected, file in the office of the Secretary of State a written declaration signed by two or more of the officers or agents elected or appointed to supervise or manage its affairs setting forth:

(1) The names and residences of the petitioners;

(2) The name of the proposed corporation;

(3) The place at which it proposes to have its headquarters or be located;

(4) The purpose of the proposed corporation;

(5) The names and residences of all officers, managers, trustees, directors or other officers or agents of the proposed corporation at the time the application is made; and

(6) Such other information as it may desire or the Secretary of State may require."

SECTION 3. Section 12-757 amended—irregularities in incorporation.—Section 12-757 of the Code of 1962 is amended by adding at the end thereof: "Any corporation heretofore formed for any of the purposes enumerated in Section 12-752 shall be deemed to have qualified under the provisions of Section 12-751." When amended the section shall read as follows:

"Section 12-757. No irregularity in complying with the provisions of this chapter shall be held to vitiate the incorporation until a direct proceeding to set aside and annul the charter be instituted by the proper authorities of the State. And all acts done and contracts entered into shall have the same force and effect as if no irregularity had existed. Any corporation heretofore formed for any of the purposes enumerated in Section 12-752 shall be deemed to have qualified under the provisions of Section 12-751."

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R516, S321) **No. 359**

An Act Providing For The Transfer Of Inmates From The South Carolina School For Boys Or The John G. Richards School For Boys To The Department Of Corrections.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Transfer of boys from industrial schools to Department of Corrections.—The Superintendent of the South Carolina School for Boys or the Superintendent of the John G. Richards School for Boys may transfer any boy committed to his institution to the Department of Corrections when he deems the transfer to be in the best interest of the individual or of the public. The Director of the Department of Corrections shall be responsible for the custody of any boy so transferred and he shall have the right to reject or reassign to another unit of the penal system or to return any boy so transferred whom he deems unsuited for the Youth Correction Center. The Board of Corrections may promulgate such rules and regulations as may be necessary or expedient for the keeping, discipline, employment and instruction of inmates transferred. The authorities

of the South Carolina School for Boys or the John G. Richards School for Boys shall retain all other control over any boy so transferred just as though no transfer had been made, except that any boy who is in the custody of the Department of Corrections shall be subject to its rules and regulations.

SECTION 2. Maintenance cost.—For each transferee, the Department of Corrections may assess the transferring institution the per day cost for maintenance of its inmates.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R517, S329) **No. 360**

An Act To Authorize Cities With A Population Between Forty-Two Thousand And Sixty Thousand To Provide By Ordinance For The Cleaning Of Lots Or Properties And To Provide For Liens Under Certain Conditions.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Certain cities may require property to be kept clean.—Any city containing a population between forty-two thousand and sixty thousand, according to the latest United States Census, is authorized to provide by ordinance that the owner of any lot or property in the city shall keep such lot or property clean and free of rubbish, debris and other unhealthy and unsightly material.

SECTION 2. Further.—The city may provide by ordinance for notification to the owner of conditions needing cleaning up, may require that the owner clean up the lot or property by cutting weeds and bushes or removing rubbish and debris. The city may provide the terms and conditions under which employees of the city or any person employed for that purpose may go upon the property and clean up the lot or property and may provide that the cost of such shall become a lien upon the real estate and shall be collectable in the same manner as city taxes.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R520, S414)

No. 361

An Act To Amend An Act Of 1965 Bearing Ratification No. 227, Relating To The Florence County Economic Opportunity Commission, So As To Increase Its Membership.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 3 of Act 163 of 1965 amended—members and compensation.—Section 3 of an act of 1965 bearing Ratification No. 227 is amended by striking the word "thirteen" on line one and inserting the word "nineteen". When so amended, the section shall read as follows:

"Section 3. The commission shall be composed of nineteen members who shall be appointed by the Governor upon the recommendation of the legislative delegation. The members of the commission shall serve without compensation."

SECTION 2. Section 4 of Act 163 of 1965 amended—terms and vacancies.—Section 4 of an act of 1965 bearing Ratification No. 227 is amended by striking on the last line the word "six" and inserting in lieu thereof the word "nine". When so amended, the section shall read as follows:

"Section 4. The terms of office of the members of the commission shall be for two years and until their successors are appointed and qualify. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor. Of the initital appointees, nine shall serve for one year."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R521, S309)

No. 362

An Act To Amend Article 18, Chapter 7, Title 46, Code Of Laws Of South Carolina, 1962, Relating To Inspection Of Vehicles, So As To Further Provide Therefor; To Provide For Vision Examinations Before Drivers' Licenses May Be Renewed; To Amend Section 46-155, Relating To Beginners' Driv-

ing Permits, So As To Provide A Fee Therefor; To Amend Section 46-163, Relating To Drivers' Licenses, So As To Increase The Fee And To Provide For A Colored Photograph; To Amend Section 46-169, Relating To Expiration And Renewal Of Licenses, So As To Further Provide Therefor; And To Provide For Penalties; And To Amend Section 21-839, Code Of Laws Of South Carolina, 1962, As Amended, Relating To The Jurisdiction Of School Bus Drivers, So As To Further Provide Therefor; And To Provide For Driver Education Courses.

Whereas, the number of traffic deaths on the highways in South Carolina reached an all-time high of 870 in 1964; and

Whereas, the South Carolina highway traffic fatality rate of eight deaths for every hundred million miles of travel was the highest in the nation in 1964; and

Whereas, the General Assembly finds that traffic accidents and deaths on the highways of South Carolina present a very serious, human, and economic loss and problem with a major deleterious effect on the public welfare; and

Whereas, the General Assembly has determined that traffic safety on the highways of the State can be improved and the human and economic loss from accidents alleviated by:

1. A driver improvement program through increased driver education in high schools, stricter driver license requirements, and stepped-up enforcement of driver license laws;
2. A vehicle safety improvement program through greater attention to the legal requirements for lights, horns, brakes, and other safety components of vehicles and the periodic inspection of vehicles to assure effectiveness of the program;
3. A stepped-up traffic law enforcement program augmented by the addition of approximately one hundred patrolmen on the force to more effectively enforce the traffic laws; and

Whereas, the General Assembly finds that an increase in the motor vehicle license and driver license fees is the proper source of tax revenues to finance the aforementioned safety programs, and further, that such increases in motor vehicle and driver license fees will be more than returned to motorists in savings in insurance premiums and a reduction in economic losses as a result of the expected reductions in traffic accidents. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 18, Chapter 7, Title 46 of 1962 Code, amended—inspection of vehicles.—Article 18, Chapter 7, Title 46, Code of Laws of South Carolina, 1962, is amended to read as follows:

"Article 18

Inspection of Vehicles

Section 46-641. No person shall drive or move on any highway any vehicle unless the equipment thereon is in good working order and adjustment as required in this chapter and the vehicle is in such safe mechanical condition as not to endanger the driver or other occupant or any person upon the highway.

Section 46-642. (a) Any officer of the Highway Department authorized to administer or enforce the motor vehicle laws of the State may at any time upon reasonable cause to believe that a vehicle is unsafe or not equipped as required by law or that its equipment is not in proper adjustment or repair require the driver of such vehicle to stop and submit such vehicle to an inspection and such test with reference thereto as may be appropriate to determine that such vehicle and equipment are in safe operating conditions and that they comply with the requirements of this chapter. Such authority, however, shall be limited to the inspection of such vehicle for brakes, lights, horn, tires and windshield wiper, and shall not authorize the search of the vehicle or the occupants thereof for any other purpose without due process of law. Evidence of the commission of an unlawful act, procured by such inspection and such test, shall not be admissible in any criminal prosecution except such as may be provided for in this article.

(b) In the event such vehicle is found to be in unsafe condition, or any required part or equipment is not present or is not in proper repair and adjustment the officer shall give a written notice to the driver and shall send a copy to the Highway Department. The notice shall require that such vehicle be placed in safe condition and its equipment in proper repair and adjustment, specifying the particulars with reference thereto, and that a certificate of inspection and approval be obtained from an officer of the Highway Department within ten days.

Section 46-643. (a) No person driving a vehicle shall refuse to submit such vehicle to an inspection and test when required to do so by the Highway Department or an authorized officer or employee thereof.

(b) Every owner or driver, upon receiving a notice as provided in Section 46-642, shall comply therewith, and shall, within ten days, secure an official certificate of inspection and approval from an officer of the Highway Department which shall be issued in triplicate, one copy to be retained by the owner, one copy to be retained by the inspecting officer, and the other copy to be forwarded to the Highway Department. In lieu of compliance with the provisions of this subsection, the vehicle shall not be operated except as provided in subsection (c) and each day upon which such vehicle is operated over any highway of this State after failure to comply with this section shall constitute a separate offense.

(c) No person shall operate any unsafe or dangerous vehicle after receiving a notice with reference thereto as above provided except as may be necessary to return such vehicle to the residence or place of business of the owner or driver, at the discretion of the officer, or to a garage or service station, until such vehicle and its equipment has been placed in proper repair and adjustment and otherwise made to conform to the requirements of Article 17 of this chapter.

(d) In the event repair or adjustment of any vehicle or its equipment is found necessary upon inspection, the owner of the vehicle may obtain such repair or adjustment at any place he may choose; but in every event an official certificate of inspection and approval from an officer of the Highway Department must be obtained, otherwise such vehicle shall not be operated upon the highways of this State.

(e) Any person who wishes to make his own repairs may do so.

Section 46-643.1. The Highway Department shall not register a used vehicle for the first time unless the application therefor is accompanied by a copy of a certificate of inspection as provided for in this article and made out in the name of the new owner. The limitations of inspection, conditions of repair and use of defective vehicles provided for in this article shall apply to such a used vehicle.

Section 46-644. Any person violating any provisions of this article shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars, or by imprisonment for not more than thirty days."

SECTION 2. Eye examinations required for renewal of licenses —penalties.—(a) Eye examinations shall be required for all per-

sons prior to having their licenses renewed by the State Highway Department. Such examinations may be made by any person authorized by law in this State to examine eyes or by designated personnel of the Highway Department.

(b) The renewal license forms distributed by the Highway Department shall be designed so as to contain a certification that the vision of the person examined meets the minimum standards required by the Highway Department or have been corrected to meet such requirements. Such certification shall be executed by the person conducting the examination. *Provided,* that the minimum standards of the Highway Department shall not require a greater degree of vision than 20/40 corrected in one eye.

(c) Any person whose vision is corrected to meet such minimum standards shall have such correction noted on his driver's license by the Highway Department.

(d) It shall be unlawful for any person whose vision requires correction in order to meet the minimum standards of the Highway Department to drive a motor vehicle in this State without the use of such correction.

(e) Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction shall be fined not more than one hundred dollars or imprisoned for not more than thirty days.

SECTION 3. Section 46-155 amended—beginner's permits—fee. —Section 46-155, Code of Laws of South Carolina, 1962, providing for beginner's permits, is amended by striking out the last sentence of the section and inserting in lieu thereof the following: "Effective on and after January 1, 1966, the fee for every beginner's or renewal permit shall be one dollar." The section, when so amended, shall read as follows:

"Section 46-155. Any person who is at least fourteen years of age may apply to the Department for a beginner's permit. The Department may, after the applicant has successfully passed all parts of the examination other than the driving test, issue to the applicant a beginner's permit which shall entitle the applicant having such permit in his immediate possession to drive a motor vehicle upon the public highways for a period of not more than six months. While so driving such permittee must be accompanied by a licensed driver twenty-one years of age or older who has had at least one year of driving experience, and who is occupying a seat beside the driver, except in the

event the permittee is operating a motorcycle. Any such beginner's permit may be renewed or a new permit issued for additional periods of six months, but the Department may refuse to renew or issue a new permit where the examining officer has reason to believe that the applicant therefor, if over sixteen years of age, has not made a bona fide effort to pass the required driver's road test or does not appear to the examining officer to have the aptitude to pass such road test. Effective on and after January 1, 1966, the fee for every beginner's or renewal permit shall be one dollar."

SECTION 4. Section 46-163 amended—driver's licenses—fee—issuance—contents.—Section 46-163, Code of Laws of South Carolina, 1962, is amended by striking out on line two the words "fifty cents" and inserting in lieu thereof the words "two dollars" and by inserting on line five after the word "description" the words "and colored photograph". The section when amended shall read as follows:

"Section 46-163. The Department shall upon the payment of a fee of two dollars issue to every applicant qualifying therefor a driver's license as applied for, which license shall bear thereon a distinguishing number assigned to the licensee, the full name, date of birth, residence address and a brief description and laminated colored photograph of the licensee and either a facsimile of the signature of the licensee or a space upon which the licensee shall write his usual signature with pen and ink immediately upon receipt of the license. No license shall be valid until it has been so signed by the licensee."

This section shall take effect January 1, 1966.

SECTION 5. Section 46-169 amended—expiration date—renewals—vision test may be required.—Section 46-169, Code of Laws of South Carolina, 1962, is amended to read as follows:

"Section 46-169. Every license issued on and after July 1, 1965, shall expire on the licensee's birth date which occurs within the fourth calendar year after the calendar year in which the license is issued. Every license issued prior to July 1, 1965, shall expire on the licensee's first birth date occurring after June 30, 1969. Every license shall be renewable on or before its expiration date upon application therefor and the payment of the required fee. The Department shall require a vision test of the applicant; *provided,* that the vision examination may be waived upon the submission of a certificate from any person authorized by law to examine eyes."

SECTION 6. Section 21-839 amended—school bus drivers—selection of certificates required.—Section 21-839, Code of Laws of South Carolina, 1962, as amended, is further amended by striking out the words "State Highway Department" wherever they occur in this section and inserting in lieu thereof the words "State Educational Finance Commission."

Amend further by adding at the end of the section the following: "The provisions of this section shall not apply to private schools." The section, when so amended, shall read as follows:

"Section 21-839. The school bus drivers, whether students or adults, shall be selected and employed by the respective boards of trustees of the school districts, subject to the approval of the respective county boards of education. No person under sixteen years of age shall be eligible for consideration as a bus driver. Before being employed, all prospective drivers shall be examined by the State Educational Finance Commission to determine their competency. The State Educational Finance Commission shall provide a rigid school bus driver training course and issue special 'school bus driver's certificates' to successful candidates. No person shall be authorized to drive a school bus in this State transporting children, whether the bus be owned by the State, by a local school agency, or by a private contractor, who has not been so certified by the State Educational Finance Commission. All school bus driver certificates shall be renewed every three years. Drivers who have certificates issued prior to September, 1962, must enroll and satisfactorily complete bus driver training courses prior to September, 1965, and each three years thereafter. Local school superintendents shall supervise the conduct of pupils being transported and of school bus drivers. When any person is relieved of his duties as a bus driver, for just cause, the local school superintendent shall require the driver to turn in his school bus driver certificate which shall be forwarded to the State Educational Finance Commission. A certificate may be reissued to such a driver at a later date upon approval of the local superintendent and the State Educational Finance Commission. The provisions of this section shall not apply to private schools."

SECTION 7. Purpose of driver education.—The aims and purposes of driver education and training shall be to develop a knowledge of those provisions of law relating to the operation of motor vehicles, a proper acceptance of personal responsibility and traffic, a true appreciation of the causes, seriousness and consequence of traf-

fic accidents, and to develop the knowledge, attitudes, habits and skills necessary for the safe operation of motor vehicles.

SECTION 8. Schools eligible to establish driver programs.—The governing board of any school district maintaining a secondary school which includes any grades nine through twelve, inclusive, is authorized and encouraged to establish driver education and training programs for students in high school grades.

SECTION 9. State Board of Education to promulgate rules and regulations.—The State Board of Education shall promulgate rules and regulations for establishment by local school districts of approved driver education and training courses. Such regulations shall require that credit for completion of a driver education training course shall not be given unless the course shall have included not less than thirty classroom hours of instruction in driver education, and not less than six hours of actual behind-the-wheel driving.

SECTION 10. Driver courses to be optional with each school district.—The establishment of driver education and training courses by local school districts shall be optional with each district, but no district shall be eligible to receive payments from the State Board of Education under the provisions of this act unless the driver education and training program of the school district shall have been certified as an approved driver education and training program by the State Board of Education.

SECTION 11. Supervision of rules and regulations.—The rules and regulations of the State Board of Education and training course shall be under the supervision of a qualified driver education teacher. Such rules and regulations shall include instructional standards, teacher qualifications, reimbursement procedure, and other requirements which will further implement the purposes and intent of this act.

SECTION 12. State aid for driver education.—The State Board of Education shall allow to each school district operating a driver education training program an amount equal to the actual cost, but in no case to exceed fifteen dollars per pupil completing the course in the program in that school district during the preceding fiscal year in accordance with the regulations set forth by the State Board of Education for instructing pupils in driver education and training; *provided,* that if the amount during any fiscal year for making payments

to school districts under the provisions of this act shall be less than the amount necessary to pay the maximum payments, the payments to local school districts shall be prorated on the basis of the estimated total number of students who will successfully complete approved driver education courses in the State during the school year.

SECTION 13. Reports required of school districts.—Each school district shall report annually to the State Board of Education the cost of instructing pupils during the preceding year in driver education and training, the number of pupils actually enrolled and trained in such courses during each preceding year, and such other information as may be required for the computation of the costs incurred therein.

SECTION 14. What may be included in determining cost of driver education.—A determination of the cost of a driver education and training program in a secondary school shall include, but by no means be limited to, the cost of the replacement of the automobile or machinery used in the instruction of pupils, the cost of the instructors' salaries, the upkeep and maintenance of automobiles, and the cost of such other equipment and classroom data as may be required in a driver education and training program operated in compliance with the rules and regulations of the State Board of Education.

SECTION 15. Statement of funds to be submitted to General Assembly.—All funds provided for and expended under the authority of this act shall be accounted for in a detailed statement submitted at the next regular session of the General Assembly, and annually thereafter, by the State Board of Education.

SECTION 16. Time effective.—This act shall take effect July 1, 1965.

Approved the 8th day of June, 1965.

(R523, S346) **No. 363**

An Act To Amend Section 47-634, Code Of Laws Of South Carolina, 1962, Relating To The Salaries Of The Mayor And Commissioners Of The City Of Camden, So As To Increase Such Salaries.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 47-634 amended—salaries of mayor and commissioners for City of Camden.—Section 47-634, Code of Laws of South Carolina, 1962, is amended by striking "seven hundred fifty" on lines one and two and inserting in lieu thereof "one thousand five hundred", and by striking "five hundred" on line three and inserting in lieu thereof "one thousand". The section when amended shall read as follows:

"Section 47-634. The mayor shall be paid a salary of one thousand five hundred dollars a year, and the commissioners shall each be paid a salary of one thousand dollars per year."

SECTION 2. Time effective.—This act shall take effect May 1, 1965.

Approved the 8th day of June, 1965.

(R525, S349) **No. 364**

An Act To Authorize Increases In Annual Salaries Of The Mayor And Councilmen Of The City Of Rock Hill In York County Pursuant To A Request Contained In A Unanimously Adopted Ordinance Of The City.

Whereas, the mayor and councilmen of the City of Rock Hill unanimously adopted an ordinance on April 27, 1965 providing for an increase in the annual salary of the mayor of the city from twelve hundred dollars to twenty-four hundred dollars per year; and for an increase of the salaries of the councilmen of the city from eight hundred dollars to sixteen hundred dollars per year; and

Whereas, the same ordinance contained a request to the General Assembly that these salary increases be authorized, approved, ratified and confirmed; and

Whereas, pursuant to this request contained in the unanimously adopted ordinance this legislation is introduced in the General Assembly.

Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Salaries of mayor and councilmen for City of Rock Hill.—From and after February 1, 1966 the salary of the mayor of the City of Rock Hill in York County shall be twenty-four hundred dollars per year, and the salaries of the councilmen of the city shall be sixteen hundred dollars per year for each councilman. Each of these salaries shall be paid in equal monthly installments during each year of service.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R526, S352)

No. 365

An Act To Authorize The Clerk Of Court Of Chesterfield County To Remove And Store Old, Out-Of-Date Real Estate Mortgages, Bonds For Title, Tax Liens And Indictments.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chesterfield County may remove old records.—The Clerk of Court of Chesterfield County is authorized to remove to a suitable and safe storage place, within his discretion, the record of all real estate mortgages and bonds for title recorded prior to 1928 and all tax liens satisfied of record on the indexes, together with all indictments that are more than forty years of age since date of filing. The records removed shall be properly wrapped and marked for identification.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R528, S358) **No. 366**

An Act To Create The Columbia Music Festival Commission.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Columbia Music Festival Commission created.—There is hereby created the Columbia Music Festival Commission which shall have such duties and powers as herein provided.

SECTION 2. Members — terms — appointments — vacancies — officers—meetings.—The Commission shall consist of six members who shall serve for terms of four years and until their successors are appointed and qualify, two of whom shall be appointed by each of the following: the City Council of Columbia, the Richland County Legislative Delegation, including the Senator, and the Columbia Music Festival Association. Except of those first appointed, one member from each of the appointing authorities shall serve for a term of two years. Any vacancy shall be filled in the manner of the original appointment for the unexpired portion of the term. The members of the Commission shall meet as soon after their appointments as practicable and elect a chairman and such other officers as they may deem necessary. The Commission shall meet thereafter at such times and places as the members may determine.

SECTION 3. Gifts and grants.—The Commission shall have the authority to accept gifts of money or property and use such gifts at its discretion for the furtherance of the Columbia Music Festival. In making use of such gifts the Commission shall consult with the governing body of the Columbia Music Festival Association.

SECTION 4. Exempt from taxes.—All gifts made to the Commission shall be tax exempt.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R529, S359) **No. 367**

An Act To Create The Barnwell County Historic Preservation Commission, And To Prescribe Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Barnwell County Historic Preservation Commission created.—There is hereby created and established the Barnwell County Historic Preservation Commission, hereinafter referred to as the Commission, with such duties, powers and authority as herein provided.

SECTION 2. To be corporate body.—The Commission is hereby declared to be a body politic and corporate and shall exercise and enjoy all the rights and privileges of such and be subject to the rules and regulations herein imposed.

SECTION 3. Members — appointments — terms — officers.—The Commission shall be composed of seven resident electors of the county to be appointed by the Governor upon the recommendation of the Barnwell County Legislative Delegation. The members shall serve for terms of four years and until their successors are appointed and qualify, except that the first appointments shall be as follows: three for four years, two for three years and two for two years. The terms of those first appointed shall be determined by lot.

Immediately upon the appointment of the Commission, it shall organize by electing one of its number as chairman, a second as vice-chairman and a third as secretary. The officers of the Commission shall hold office for terms of one year and until their successors shall be chosen and qualify. It shall be the duty of the Commission to see that a record of the appointees to the Commission shall be filed in the Clerk of Court's office in Barnwell County, so as to indicate the persons holding office as members of the Commission and the duration of their respective terms. No member of the Commission shall receive any compensation for his services as a member of the Commission. Membership on the Commission shall not be construed to be an office of honor or profit.

SECTION 4. Powers.—The Commission shall be empowered as follows:

(1) To sue and be sued.

(2) To adopt, use and alter a corporate seal.

(3) To contract with others in furtherance of its purposes and to charge admission fees to its facilities.

(4) To make bylaws for the management and regulation of its affairs.

(5) To acquire, own, hold in trust, preserve, restore, maintain, suitably mark, develop, advertise, and operate buildings and struc-

tures of historic significance, and the land upon which the same may be situate, in Barnwell County, and to receive funds, grants, donations and appropriations for the accomplishment of these purposes.

(6) To prescribe rules and regulations governing the use of the facilities.

(7) After first obtaining the approval and written consent of the Barnwell County Legislative Delegation, the Commission shall have authority to appoint agents, employees and servants, to prescribe their duties, to fix their compensation, to determine if and to what extent they shall be bonded for the faithful performance of their duties.

(8) To authorize and create advisory committees and special memberships and societies in furtherance of its purposes.

SECTION 5. Exempt from taxes.—All property of the Commission shall be exempt from all ad valorem taxes levied by the county or any municipality, division, subdivision or agency, direct or indirect.

SECTION 6. Fiscal year and audit.—The Commission shall conduct its affairs on the fiscal year basis employed by Barnwell County. As shortly after the close of its fiscal year as may be practicable an audit of its affairs shall be made by a certified public accountant of good standing, to be designated by the Commission with the prior written approval of the Barnwell County Legislative Delegation. Copies of such audit, incorporated into an annual report of the Commission, shall be filed with the county delegation and in the office of the clerk of court for the county.

SECTION 7. Obligations not to be impaired.—The right to alter, amend or rescind this act is hereby expressly reserved and disclosed, but no such amendment or repeal shall operate to impair the operation of any otherwise lawful contract made by the authority pursuant to any power conferred by this act.

SECTION 8. Funds.—Funds for the operation of the Commission shall be such as may be provided in the annual appropriation act for Barnwell County.

SECTION 9. When action may be taken.—Any action required of the Commission may be taken at any meeting of the Commission, regular or special, and at such meeting a majority of the members of

the Commission shall constitute a quorum for the purpose of transacting the business of the Commission.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R532, S368) **No. 368**

An Act To Amend Act No. 243 Of The Acts Of 1963, As Amended, Relating To The Piedmont Technical Education And Training District And The Piedmont Technical Education Commission, So As To Further Provide For The District, The Commission And The Cost Of Construction Of The Center And The Site.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 2 of Act 243 of 1963 amended—Piedmont Technical Education and Training District created.—Section 2 of Act No. 243 of 1963, as amended, is further amended on line four by striking "Laurens,". The section when amended shall read as follows:

"Section 2. In order to fulfill the purposes and findings stated in Section 1, there is hereby created the Piedmont Technical Education and Training District, consisting of the Counties of Abbeville, Greenwood, McCormick and Saluda, which shall be controlled and managed by a commission known as the Piedmont Technical Education Commission (hereinafter called the Commission)."

SECTION 2. Section 3 of Act 243 of 1963 amended—commission—members—terms—vacancies—officers.—Section 3 of Act No. 243 of 1963, as amended, is further amended by striking on lines two and three "each from the Counties of Abbeville and Laurens," and inserting "from Abbeville County" and by striking on line seven "two shall have a term of one year,". The section when amended shall read as follows:

"Section 3. The Commission shall consist of one member each from the Counties of McCormick and Saluda, two members from Abbeville County and three members from Greenwood County. Each member shall be appointed by the Governor upon the recommendation of a majority of the legislative delegation, including the Senator, of his county.

Of those first appointed, two shall have a term of two years, two shall have a term of three years, and three shall have a term of four years. Upon the expiration of the terms of office of those first appointed, successors shall be appointed for terms of four years in the same manner as provided for the original appointments. If any vacancy shall arise, a successor shall be appointed by the Governor for the balance of the unexpired term in the same manner as the original appointment was made. The members of the Commission shall hold office until their successors shall have been appointed and shall qualify. All terms of office shall terminate on the appropriate anniversary of the effective date of this act, notwithstanding that a delay in making appointments shall lessen the duration of the terms of office. As soon as practicable after the initial appointments are made, the Commission shall meet and organize by electing one of its members as chairman, another as vice chairman, and a third as secretary.

A transcript of the record of the initial organization shall be filed with the governing body of each county in order to reflect the initial membership of the Commission and those who shall become its officers."

SECTION 3. Section 5 of Act 243 of 1963 amended—distribution of costs.—Section 5 of Act No. 243 of 1963, as amended, is further amended by striking it out and inserting in lieu thereof the following:

"Section 5. The cost of construction of the center shall be borne by the participating counties on the following pro rata basis:

Abbeville	18 per cent
McCormick	6.4 per cent
Saluda	7.6 per cent
Greenwood	68 per cent

In addition, Greenwood County shall provide without cost to the Commission a suitable site for the center."

SECTION 4. Laurens County may participate.—Nothing in this act shall be construed as preventing Laurens County from becoming a part of or participating in the Piedmont Technical Education Commission upon the payment of its pro-rata share.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R534, S370)

No. 369

An Act To Permit Members Of The General Assembly To Draw Retirement Benefits Under Certain Conditions.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Members of General Assembly may draw retirement benefits.—Any person who has been an active member of the South Carolina Retirement System and who meets all of the requirements and qualifications for retirement, and is or becomes a member of the General Assembly, shall be allowed, at his option, to draw his retirement.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R535, S372)

No. 370

An Act To Amend Section 43-521, Code Of Laws Of South Carolina, 1962, Relating To Magistrates And Constables In Allendale County, So As To Further Provide Therefor And To Extend The Terms Of Certain Magistrates.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 43-521 amended—Allendale County magisterial districts defined—appointment of constables.—Section 43-521, Code of Laws of South Carolina, 1962, is amended to read as follows:

"Section 43-521. There shall be three magistrates appointed for Allendale County for terms of four years, whose districts shall be known and described as follows:

ALLENDALE-MILLETTVILLE—Beginning at the intersection of State Highway 162 and the Barnwell County line running in a southeasterly direction to the intersection of U. S. Highway 301; thence turning and running in a southwesterly direction along U. S. Highway 301 to the intersection of State Highway 641; thence turning and running in an easterly direction along State Highway 641 to the intersection of State Highway 240; thence turning and running in a southerly direction along State Highway 240 to the intersection

of an unmarked road; thence turning and running in a southwesterly direction along such road to the intersection of State Highway 28; thence turning and running in a northwesterly direction along State Highway 28 to the intersection of State Highway 103; thence turning and running in a southwesterly direction along State Highway 103 to the intersection of State Highway 47; thence turning and running in a northwesterly direction along State Highway 47 to the intersection of State Highway 22; thence turning and running in a southwesterly direction along State Highway 22 to the intersection of State Highway 60; thence turning and running in a southwesterly direction along State Highway 60 to the intersection of State Highway 41; thence turning and running in a southwesterly direction along State Highway 41 to the Savannah River; thence turning and following the river in a northwesterly direction to the county line; thence turning and following the county line around to the point of origin.

SYCAMORE-ULMERS DISTRICT—Beginning at the intersection of State Highway 162 and the Barnwell County line running in a southeasterly direction to the intersection of U. S. Highway 301; thence turning and running in a southwesterly direction along U. S. Highway 301 to the intersection of State Highway 641; thence turning and running in an easterly direction along State Highway 641 to the intersection of State Highway 240; thence turning and running in a southerly direction along State Highway 240 to the intersection of State Highway 89; thence turning and running in a northeasterly direction along State Highway 89 to the intersection of State Highway 90; thence turning and running in a southeasterly direction along State Highway 90 to the county line; thence turning northeasterly and following the county line around to its point of origin.

FAIRFAX-BARTON DISTRICT—Beginning at the intersection of State Highway 90 and the Hampton County line running in a northwesterly direction along State Highway 90 to the intersection of State Highway 89; thence turning and running in a southwesterly direction along State Highway 89 to the intersection of State Highway 240; thence turning and running in a northwesterly direction along State Highway 240 to the intersection of an unmarked road; thence turning and running in a southwesterly direction along such road to the intersection of State Highway 28; thence turning and running in a northwesterly direction to the intersection of State Highway 103; thence turning and running in a southwesterly direction along State Highway 103 to the intersection of State Highway 47; thence turning and running in a westerly direction along State Highway 47

to the intersection of State Highway 22; thence turning and running in a southwesterly direction along State Highway 22 to the intersection of State Highway 60; thence turning and running in a southwesterly direction along State Highway 60 to the intersection of State Highway 41; thence turning and running in a southwesterly direction along State Highway 41 to the Savannah River; thence turning and running in a southerly direction along the river to the county line; thence turning and running in a northeasterly direction along the county line to the point of origin.

The territorial jurisdiction of each magistrate shall extend to the county lines bordering his district and to the center line of all highways and roads used in forming his district boundaries.

The magistrates of Allendale-Millettville and Fairfax-Barton Districts may appoint two constables each. The magistrate of Sycamore-Ulmers District may appoint one constable. Each constable so appointed shall serve at the pleasure of the appointing magistrate."

SECTION 2. Designation of magistrates.—The current magistrate of Allendale and Bull Pond townships shall be the magistrate for the Allendale-Millettville District; the current magistrate of Sycamore township shall be the magistrate for the Sycamore-Ulmers District; and the current magistrate of Fairfax township shall be the magistrate for the Fairfax-Barton District. The terms of such magistrates are hereby extended to June 30, 1968 and until their successors are appointed and qualify.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R537, S377) **No. 371**

An Act To Create The Pioneer Rural Water District Of Oconee And Anderson Counties And To Prescribe Its Area And Functions; To Provide For Its Governing Body, Its Terms, Powers And Duties; And To Provide Penalties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Pioneer Rural Water District of Oconee and Anderson Counties created.—There is hereby created a body corporate

and politic of perpetual succession to be known as the Pioneer Rural Water District of Oconee and Anderson Counties (hereinafter called the district). It shall be the purpose and function of the district to acquire, construct and operate a waterworks system, utilizing therefor water from available sources, by purchase or otherwise, at such convenient points as the district shall select to provide a flow of water through pipes to the areas described in Section 2 of this act, and to such other domestic, commercial or industrial users who can be conveniently and economically served within or without the service area as herein provided. To this end the district shall perform the functions prescribed by this act, and shall be vested with the powers herein granted and all other powers that may be necessary or incidental in carrying out the functions herein prescribed and exercising the powers herein granted. The water mains, distribution facilities, tanks, their several component parts, and all apparatus, equipment and property incident thereto or used or useful in the operation thereof and all additions, improvements, extensions and enlargements to any of them shall be referred to in this act as the system.

SECTION 2. Service area.—The district shall include and be comprised of the following territory which shall be known as the service area:

COMMENCING at the southern limits of the Town of Westminster along Highway 123, thence to the Dunlop Plant, thence down Coneross Creek to the Hartwell Lake, thence around the shoreline of Hartwell Lake in a southerly and westerly direction to Choestoe Creek, thence to South Carolina State Highway No. 20, thence northward to the Corporate Limits of the Town of Westminster, thence along the southern limits of Westminster to point of beginning.

SECTION 3. To be managed by board of directors.—The district shall be operated and managed by a board of directors to be known as the Pioneer Rural Water District Board of Oconee and Anderson Counties which shall constitute the governing body of the district. The board shall consist of five resident electors of the area who shall be appointed by the Governor, upon the recommendation of a majority of those persons attending a meeting of residents of the area held pursuant to at least one week's notice in a local newspaper giving the time and place of the meeting. The chairman and secretary of the meeting shall certify the names of those recom-

mended to the Governor. The original appointments shall be for a term of two years for two appointees, for four years for two appointees, and for six years for one appointee. All terms after the initial appointments shall be for six years. All appointees shall hold office until their successors shall have been appointed and qualify. The initial terms of office shall begin as of the effective date of this act. Any vacancy shall be filled in like manner as the original appointment for the unexpired portion of the term. Immediately after appointment, the board shall meet and organize by the election of one of its members as chairman, one as vice chairman, one as secretary and one as treasurer. The offices of the secretary and treasurer may be combined in the discretion of the board.

SECTION 4. Powers and duties.—The district, acting through its governing body, is hereby vested with all such powers as may be necessary or incidental to carry out its purposes, functions and responsibilities including, but without limitation, the following:

(1) To have perpetual succession.

(2) To sue and be sued.

(3) To adopt, use and alter a corporate seal.

(4) To define a quorum for meetings.

(5) To maintain a principal office.

(6) To make bylaws for the management and regulation of its affairs.

(7) To build, construct, maintain and operate ditches, tunnels, culverts, flumes, conduits, mains, pipes, dikes, dams and reservoirs.

(8) To build, construct, maintain and operate distribution systems for the distribution of water for domestic or industrial use.

(9) To acquire and operate any type of machinery, appliances or appurtenances, necessary or useful in constructing, operating and maintaining the system.

(10) To contract for or otherwise acquire a supply of water and sell water for industrial or domestic use.

(11) To prescribe rates and regulations under which such water shall be sold for industrial and domestic use.

(12) To enter into contracts of long duration for the purchase and sale of water with persons, private corporations, municipal corporations, or public bodies or agencies.

(13) To prescribe such regulations as it shall deem necessary to protect from pollution all water in its pipes, tanks, reservoirs, distribution systems or elsewhere within its system.

(14) To make contracts of all sorts and to execute all instruments necessary or convenient for the carrying on of the business of the district.

(15) To acquire, purchase, hold, use, lease, mortgage, sell, transfer and dispose of any property, real, personal or mixed, or any interest therein.

(16) To make use of county and state highway rights of way in which to lay pipes and lines in such manner and under such conditions as the appropriate officials in charge of such rights of way shall approve.

(17) Subject always to the limitations of Section 4, Article VIII, of the Constitution of South Carolina, 1895, to make use of all the streets and public ways of an incorporated municipality for the purpose of laying pipes and lines.

(18) To alter and change county and state highways wherever necessary to construct the system under such conditions as the appropriate officials in charge of such highways shall approve.

(19) To exercise the power of eminent domain for any corporate function. The power of eminent domain may be exercised through any procedure prescribed by Sections 25-101 through 25-140 and Sections 33-121 through 33-148, Code of Laws of South Carolina, 1962, as now or hereafter constituted, it being the intent of this provision that further amendments and modifications of these code provisions shall be deemed to amend and revise correspondingly the powers granted by this paragraph. *Provided,* that the power of eminent domain conferred hereunder shall not extend to the property of any public utility that the utility could have acquired under its power of eminent domain.

(20) To appoint officers, agents, employees and servants, to prescribe the duties of such, to fix their compensation and to determine if and to what extent they shall be bonded for the faithful performance of their duties.

(21) To make contracts for construction and other services; *provided,* that such contracts shall be let on competitive bidding and shall be awarded to the lowest responsible bidder.

(22) To borrow money and to make and issue negotiable bonds, notes and other evidences of indebtedness, payable from all or any part of the revenues derived from the operation of its system. The sums borrowed may be those needed to pay all costs incident to the construction and establishment of the system, and any extensions, additions and improvements thereto, including engineering costs, legal

costs, construction costs; the sum needed to pay interest during the period prior to which the system, or any extension, addition or improvement thereof, shall be fully in operation; such sum as is needed to supply working capital to place the system in operation; and all other expenses of any sort that the district may incur in establishing, extending or enlarging the system. Neither the full faith and credit of the State of South Carolina, nor Oconee and Anderson Counties, shall be pledged for the payment of the principal and interest of the obligations, and there shall be on the face of each obligation a statement, plainly worded, to that effect. Neither the members of the board, nor any person signing the obligations, shall be personally liable thereon. To the end that a convenient procedure for borrowing money may be prescribed, the district shall be fully empowered to avail itself of all powers granted by Sections 59-361 through 59-415 and Sections 59-651 through 59-682, Code of Laws of South Carolina, 1962, as now or hereafter constituted, it being the intent of this provision that further amendments and modifications of the code provisions shall be deemed to amend and revise correspondingly the powers granted by this paragraph. In exercising the power conferred upon the district by such code provisions, the district may make or omit all pledges and covenants authorized by any provision thereof, and may confer upon the holders of its securities all rights and liens authorized by law. Notwithstanding contrary provisions in the code, the district may:

(a) Disregard any provision requiring that bonds have serial maturities, and issue bonds in such form and with such maturities as the district shall determine.

(b) Provide that its bonds, notes or other evidence of indebtedness be payable, both as to principal and interest, from the net revenues derived from the operation of its system, as such net revenues may be defined by the district.

(c) Covenant and agree that upon it being adjudged in default as to the payment of any installment of principal or interest upon any obligation issued by it, or in default as to the performance of any covenant or undertaking made by it, in such event the principal of all obligations of such issue may be declared forthwith due and payable, notwithstanding that any of them may not have then matured.

(d) Confer upon a corporation trustee the power to make disposition of the proceeds from all borrowings and of all revenues derived from the operation of the system, in accordance with the resolutions adopted by the authority as an incident to the issuance of any notes, bonds or other types of securities.

(e) Dispose of bonds, notes or other evidence of indebtedness at public or private sale, and upon such terms and conditions as it shall approve.

(f) Make provision for the redemption of any obligations issued by it prior to their stated maturity, with or without premium, and on such terms and conditions as the district shall approve.

(g) Covenant and agree that any cushion fund established to further secure the payment of the principal and interest of any obligation shall be in a fixed amount.

(h) Covenant and agree that no free service will be furnished to any person, municipal corporation, or any subdivision or division of the State.

(i) Prescribe the procedure, if any, by which the terms of the contract with the holders of its obligations may be amended, the number of obligations whose holders must consent thereto, and the manner in which consent shall be given.

(j) Prescribe the events of default and terms and conditions upon which all or any obligations shall become or may be declared due before maturity and the terms and conditions upon which such declarations and their consequences may be waived.

(23) To extend its system or systems, within Oconee and Anderson Counties, beyond the defined limits of the district to provide services to those living outside the district and outside any incorporated municipality when, in the discretion of the board, it is feasible and practicable so to do, in which case any person or agency receiving such service shall be subject to the same rules, regulations and requirements concerning services being received from the district as persons residing within the district. The board may, in its discretion, establish rates and charges higher than those within the district for the extension of its system and the provision of services beyond the limits of the district.

SECTION 5. Rates not to be regulated.—The rates charged for services furnished by the system, as constructed, improved, enlarged and extended, shall not be subject to supervision or regulation by any state bureau, board, commission or like instrumentality or agency thereof.

SECTION 6. Exempt from taxes.—(1) Bonds, notes or other evidences of indebtedness issued pursuant to Section 4(22) of this act and interest payable thereon are hereby exempted from any and all

State, county, municipal and other taxation whatsoever under the laws of this State, and it shall be plainly stated on the face of each such obligation as follows:

"The principal of and interest on this (bond, note, or other evidence of indebtedness) are exempted from any and all State, county, municipal and other taxation whatsoever under the laws of the State of South Carolina."

(2) All property of the district shall be exempt from all ad valorem taxes levied by the State, county or any municipality, division, subdivision or agency thereof, direct or indirect.

SECTION 7. Fiscal year, audit and annual report.—The district shall conduct its affairs on the fiscal year basis employed by the State. As shortly after the close of its fiscal year as may be practicable, an audit of its affairs shall be made by certified public accountants of good standing, to be designated by the district. Copies of such audits incorporated into an annual report of the district shall be filed with the Auditor and Treasurer of Oconee County, and the Auditor and Treasurer of Anderson County, and with the secretary to the Legislative Delegation of Oconee County and Anderson County.

SECTION 8. Penalties for unlawful acts.—It shall be unlawful for any person to wilfully injure or destroy, or in any manner hurt, damage, tamper with, or impair the system of the district, or any part thereof, or any machinery, apparatus or equipment of the district, or to pollute the water in any part of its system, or to obtain water therefrom except in accordance with the regulations promulgated by the district. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not less than ten dollars nor more than one hundred dollars, or be imprisoned for not more than thirty days, in the discretion of the court, and shall be further liable to pay all damages suffered by the district.

SECTION 9. Public entities may purchase water.—The municipalities of Oconee and Anderson Counties and all public bodies and public agencies now or hereafter operating water distribution systems in Oconee and Anderson Counties shall be fully empowered to enter into contracts to buy water from the district or sell water to the district. These contracts shall extend over such period of time and shall contain such terms and conditions as shall be mutually agreeable to the district and to the contracting municipality, public body or public agency.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R538, S389) **No. 372**

An Act To Provide For A County Board Of Health For Abbeville County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Abbeville County Board of Health created.—Abbeville County shall have and maintain a county board of health, under the direction and control of the State Board of Health, as provided by law for the direction and control of local boards of health in incorporated cities and towns.

SECTION 2. Members — appointments — terms.—The county board of health shall be composed of bona fide residents of the county and shall be appointed and commissioned by the Governor upon the recommendation of a majority of the county legislative delegation, including the Senator. The appointed members of the board shall be five in number, and their terms of office shall be for a period of five years and until their successors have been appointed and quality, the terms of office of the initial members of the board having, however, been staggered from one to five years. The members of the county board of health shall serve without compensation and their terms of office shall begin on the first of July.

SECTION 3. Abbeville County Health Department created.—There shall be created and maintained in Abbeville County a county health department. This health department shall function and be under the control of the county board of health. The county board of health may employ such additional personnel as is consistent with the needs of the county. Such personnel shall hold office at the pleasure of the county board of health, except that all persons employed in the county health department shall be subject to all the provisions of the merit system of the State Board of Health and shall be approved by the State Board of Health. The county board of health may fix employees' salaries in conformance with the merit system of the State Board of Health.

SECTION 4. Powers and duties of board of health.—The county board of health is hereby vested with all rights, powers, duties, privileges and responsibilities that are imposed by law upon local boards of health in incorporated cities and towns and such other duties as are prescribed in this act. In carrying out all powers, duties, privileges and responsibilities herein prescribed, the county board of health shall control and direct the activities of the county health department.

SECTION 5. Duties of health department.—The duties of the county health department shall include the control of communicable diseases by all acceptable and approved methods, maternal and child hygiene, special services for preschool and school hygiene, sanitation, including sanitation of all food-vending establishments, dairies, abattoirs and schools, rodent and mosquito control, all other duties and activities that are usually carried on by organizations of like authority and such other duties as may be prescribed by the county board of health or the State Board of Health. The county health personnel shall render special services to the schools of the county, both as to the sanitation and medical examination of school children to determine their physical condition and, when possible, to have all discovered defects corrected. But only such services shall be rendered as may be efficiently performed with the personnel employed.

SECTION 6. Collection of garbage and cleaning of streets.—The collection of garbage and cleaning of the streets and vacant lots shall not be a part of the duties of the county health department and this act does not relieve the cities and towns of the county from any expense which may be incurred in correcting nuisances, maintaining water supplies and sewage disposal plants and other recognized and approved activities for the prevention of disease and the promotion of health.

SECTION 7. Powers and duties restricted to public health.—The rights, duties, powers, privileges and responsibilities mentioned in this act shall only refer to such rights, duties, powers, privileges and responsibilities as appertain to the direction, control and supervision of public health and matters pertaining to public health.

SECTION 8. Approval of expenditures.—The expenditure of funds by the county health department shall be only with the approval of the county board of health and the county governing

board, and the county treasurer shall disburse such funds when directed to do so by the county board of health and the county governing board.

SECTION 9. Not to affect certain commissions or boards.—If any city or town of the county shall have a commission or board in charge of a water supply and sewage disposal plant, nothing in this act shall take away from such commission or board its rights, duties, powers, privileges and responsibilities.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R540, S396) **No. 373**

An Act To Further Provide For The Duties Of Certain School Officials In Saluda County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Duties of Saluda County Superintendent of Education.—The County Superintendent of Education for Saluda County shall act as secretary and executive officer to the Saluda County Board of Trustees and shall effectuate the official policies of the board, and from time to time recommend to the board such changes in procedure and policies as will, in his opinion, improve the school system in the county.

SECTION 2. Agenda of meetings — minutes — inventory of supplies.—The district superintendent of education shall furnish the county superintendent of education a proposed agenda of each board meeting at least one week before such meeting, and the county superintendent shall furnish the members of the board the agenda and an accurate record of all board procedures prior to such meetings. The county superintendent shall keep an accurate record of board proceedings and minutes and shall cause to be made an annual inventory of all supplies, furniture and equipment under the control of the board which shall be kept on file in his office.

SECTION 3. Lunchroom funds.—An accurate record of all receipts and expenditures of the activities and lunchroom funds of each school shall be kept by the principal of each school.

SECTION 4. School District 1 funds.—All receipts of revenue from any source for Saluda School District No. 1 shall be turned over to the county superintendent to be deposited with the treasurer of the county. The county superintendent shall approve all expenditures for Saluda School District No. 1 operating funds and all invoices to be paid by the county superintendent's office.

SECTION 5. Audit of School District 1.—An annual audit shall be made of Saluda County School District No. 1 by an auditor to be selected by the county superintendent upon approval of the Saluda County Legislative Delegation. The auditor shall be paid from School District No. 1 funds. One copy of such audit shall be kept in the office of the county superintendent of education, one copy in the area superintendent's office and copies shall be furnished each member of the board of trustees and each member of the county legislative delegation.

SECTION 6. Finance committee—appointment—submit budget.—The chairman of the board shall appoint a finance committee to be composed of three members of the board who shall, with the area superintendent and the county superintendent of education, prepare in detail an annual school budget which shall be submitted by March first of each year. No increases in salaries or otherwise shall be made unless such increases are approved in the budget.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R542, H1043)

No. 374

An Act To Amend The Code Of Laws Of South Carolina, 1962, By Adding Section 46-35.1.1 To Provide For An Additional Special Farm Truck License.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 46-35.1.1 added—special licenses for certain farm trucks.—The Code of Laws of South Carolina, 1962, is amended by adding Section 46-35.1.1 to read as follows:

"Section 46-35.1.1. The Department shall issue to bona fide farmers special eight-ton farm truck licenses for farm trucks with an

empty weight of not more than ten thousand five hundred pounds for an annual fee of fifteen dollars. For the purpose of this section, a *'farm truck'* is hereby defined as a truck used exclusively by the owner for agricultural, horticultural and dairying operations or livestock and poultry raising."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R543, H1177) **No. 375**

An Act To Amend Section 21-331, Code Of Laws Of South Carolina, 1962, Relating To The Conveyance Of Abandoned School Buildings, So As To Provide For The Disposition Of Such Buildings When There Is No Demand For Them.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 21-331 amended—disposition of abandoned school buildings.—Section 21-331, Code of Laws of South Carolina, 1962, is amended to read as follows:

"Section 21-331. Except in Charleston County, whenever a school building is no longer needed for school purposes the trustees of the consolidated school district wherein such building is situated shall cause a notice to that effect to be published in a newspaper having general circulation in the community wherein such building is situated. If, within six months after such notice, the duly elected community trustees of the area in which such building is situated, shall notify the school trustees that they desire to have such building for community purposes the school trustees shall convey the building by deed to the community trustees, and their successors in office, in trust for the use and benefit of the community as a community building.

In the event such notification is not made within the specified time, the school trustees may sell or lease such building as provided for in Section 21-238."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R544, H1272)

No. 376

An Act To Amend Act No. 166 Of 1963 Relating To Keeping Vicious Dogs In Beaufort County, So As To Include Newberry, Oconee, And Clarendon Counties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 1 of Act 166 of 1963 amended—vicious dogs unlawful in certain counties.—Section 1 of Act No. 166 of 1963 is amended by striking out on line two the word "County" and inserting in lieu thereof the words ", Newberry, Oconee, and Clarendon Counties".

The section, when amended, shall read as follows:

"Section 1. It shall be unlawful to own or keep a vicious dog within the confines of Beaufort, Newberry, Oconee, and Clarendon Counties unless such vicious dog be securely muzzled or securely confined within such owner's or keeper's private premises. The term 'vicious dog' shall be construed to mean any dog evidencing characteristics usually associated with a dog abnormally inclined to attack or to attempt to attack other animals or persons without provocation by such other animal or person."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R545, H1314)

No. 377

An Act To Require The Public Schools Of The State To Supply Plano Protective Eye Devices To Pupils And Teachers Participating In Certain Courses And To Require Pupils And Teachers Desiring Protective-Corrective Eye Devices To Secure Such Devices At Their Own Expense.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Certain students and teachers to wear protective eye devices.—Every pupil and teacher in any public school participating in any of the following courses:

(a) Vocational or industrial art shops or laboratories involving use of or expose to:

(1) Hot molten metals;

(2) Milling, sawing, turning, shaping, cutting, or stamping of any solid materials;

(3) Heat treatment, tempering, or kiln firing of any metal or other materials;

(4) Gas or electric arc welding;

(5) Repair or servicing of any vehicle;

(6) Caustic or explosive materials;

(b) Chemical or combined chemical-physical laboratories involving caustic or explosive chemical or hot liquids or solids; is required to wear industrial quality eye protective devices at all times while participating in such courses or laboratories. The trustees of each school district shall purchase and cause such plano protective eye devices to be placed in such public schools for the eye protection of pupils, teachers and visitors to such classrooms or laboratories.

(c) Any person desiring protective-corrective lenses instead of plano protective devices supplied by the school trustees shall at his own expense procure and equip himself with industrial quality eye protective devices secured from legally authorized dispensers.

The phrase "industrial quality eye protective devices", as used in this section, means devices meeting the standards of the American Standard Safety Code for Head, Eye, and Respiratory Protection, Z2.1-1959, promulgated by the American Standards Association, Incorporated.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R546, H1467)

No. 378

An Act To Amend Section 16-565.1, Code Of Laws Of South Carolina, 1962, Relating To Avoiding Payments Of Telecommunications Payments, So As To Include The Avoidance Of Lawful Telecommunications Charges.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 16-565.1 amended—penalty for not paying certain telecommunication charges.—Section 16-565.1, Code of

Laws of South Carolina, 1962, is amended by striking the first three lines and substituting in lieu thereof the following: "Any person who knowingly avoids or attempts to avoid, or causes another to avoid, the lawful charges or payments, in whole or in part, for any telecommunications service or for the transmission of a message, signal, or other telecommunication over telephone or telegraph facilities:". The section when amended shall read as follows:

"Section 16-565.1. Any person who knowingly avoids or attempts to avoid, or causes another to avoid, the lawful charges or payments, in whole or in part, for any telecommunications service or for the transmission of a message, signal, or other telecommunication over telephone or telegraph facilities:

(1) By charging such service to an existing telephone number or credit card number without the authority of the subscriber thereto or the lawful holder thereof;

(2) By charging such service to a nonexistent telephone number or credit card number, or to a number associated with telephone service which is suspended or terminated, or to a revoked or canceled credit card number;

(3) By use of a code, prearranged scheme, or other similar strategem or device whereby such person, in effect, sends or receives information;

(4) By rearranging, tampering with, or making connection with any facilities or equipment of a telephone company, whether physically, inductively, acoustically, or otherwise; or

(5) By the use of any other fraudulent means, method, trick or device; is guilty of a misdemeanor and shall, upon conviction thereof, be fined not more than one thousand dollars or imprisoned not more than one year, or both."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R547, H1477) **No. 379**

An Act To Amend Act 704 Of 1964, Relating To Nonresident Fishing Licenses For The Catching Of Shad Fish In The Savannah River, So As To Require A License For Each Shad Net And A License For A Nonresident Operator Of Such Net.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 1 of Act 704 of 1964 amended—nonresident license for netting shad in Savannah River.—Section 1 of Act 704 of 1964 is amended by striking it out and inserting in lieu thereof the following:

"Section 1. Nonresidents owning nets used in the Savannah River to catch shad shall obtain an annual license for each net from the South Carolina Wildlife Resources Department at a cost of one hundred dollars. The department shall issue with each license a tag which shall be attached to the net.

"Section 1A. Nonresidents who operate shad nets in the Savannah River, whether such nets are owned by a resident or nonresident, shall obtain an annual license from the South Carolina Wildlife Resources Department at a cost of one hundred dollars. The license shall be on the operator's person at all times."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R548, H1483) **No. 380**

An Act Making It Unlawful To Make Or Possess Any Device Which Can Be Used To Violate Section 16-565.1 Or Which Is Designed To Conceal From Any Telecommunication Company The Origin Or Destination Of Any Telecommunication, And Authorizing The Issuance Of Search Warrants To Seize Such Devices.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Penalty to make device for avoiding telecommunication charges.—Any person who knowingly makes or possesses any device or any plans or instructions for making the same which can

be used to violate the provisions of Section 16-565.1 or to conceal from any supplier of telecommunication service the existence, origin or destination of any telecommunication shall be guilty of a misdemeanor and shall, upon conviction, be fined not more than one thousand dollars or imprisoned not more than one year, or both.

SECTION 2. Issuance of warrants to seize such devices.—Any magistrate may issue a warrant to search for and seize any such device upon application supported by oath of the complainant which shall set forth the facts upon which the application is based, specifically designating the place and the object of the search or seizure. Any such device seized under warrant or as an incident to a lawful arrest shall after conviction of the owner or possessor thereof be destroyed by the sheriff of the county in which such person was convicted.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R549, H1686)

No. 331

An Act To Permit Certain Private Corporations Providing Water Service To Enter Into Contracts With Incorporated Municipalities Or Special Purpose Districts Providing Sewer Service For The Purpose Of Securing The Collection Of Sewer Charges.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that in certain areas in South Carolina domestic, commercial and industrial water service is supplied by private corporations under the jurisdiction of the South Carolina Public Service Commission. Frequently incorporated municipalities and special purpose districts are located within the same areas. Such municipalities and special purpose districts are empowered to impose sewer service charges but have no ready means of collecting the charges inasmuch as they do not render water service. Such municipalities and special purpose districts have the power to enter into contracts with private corporations to collect such sewer service charge but there is no corresponding statutory authority permitting the

private corporation to act for such municipalities and special purpose districts to collect such sewer service charge or to suspend water service in the event that the bill for sewer service is not paid, whether the sewer bill is rendered separately or is combined with the water bill into a single bill.

SECTION 2. Private corporations furnishing water may make contracts with municipalities concerning fees.—All private corporations, subject to the jurisdiction of the South Carolina Public Service Commission, engaged in the business of providing water service and selling and distributing water for domestic, commercial or industrial purposes may, if the approval of the South Carolina Public Service Commission is obtained, enter into contracts with any incorporated municipality or any special purpose district upon terms and conditions to be mutually agreed upon (including an agreement by the municipality or public service district to hold the private corporation harmless for any error by the municipality or public service district regarding the payment or nonpayment of sewer charges) by which the municipalities or special purpose districts shall (a) constitute the corporation the agent of the municipalities or special purpose districts, for the purpose of collecting such charges as the municipalities or special purpose districts shall from time to time impose upon those who utilize its sewage disposal facilities; and/or (b) empower the corporation as the agent of the municipalities or special purpose districts to disconnect water service upon failure of any user to pay sewer charges.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R552, H1203) **No. 382**

An Act To Authorize The State Commission Of Forestry To Expend Certain Moneys For Scrub Oak Eradication, Reforestation, Timber Stand Improvement And Harvest Cutting On The State Parks Of South Carolina.

Whereas, the General Assembly of the State of South Carolina, recognizing that the forest lands on the State Parks of South Carolina

are a natural resource of great economic value to its citizens and the State as a whole; and

Whereas, continuously increasing demands for timber necessitates that public owned areas, as well as private lands, be brought to their full productive capacity without further delay; and

Whereas, there are some thirty thousand acres of woodland or potential woodland on the twenty-three State Parks in South Carolina which are outside of the immediate needs for recreational use and which could produce substantial revenue for the State without the loss of any recreational values to the State Park system, and that nine parks have over one thousand acres each that could be devoted to timber production; and

Whereas, a very rough estimate indicates that some five hundred thousand dollars in timber value could be marked and sold within the next ten-year period (approximately fifty thousand dollars per year) without impairing timber production or recreational values, there being approximately five thousand acres of State Park lands that should be planted to trees (about three thousand acres of which will need site preparation work before planting) and an additional two thousand acres will need timber stand improvement work; and

Whereas, if these additional seven thousand acres were placed in a good state of production the total production of timber from the State Parks could be increased by approximately thirty-five thousand dollars annually at present day prices, which, when added to increased production from the remaining twenty-three thousand acres already in production, would add up to substantial net revenue to the State; and

Whereas, this forest management work can be accomplished without impairing the value of the State Parks for recreational purposes and, in fact, will increase recreational values in certain areas. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Forestry Commission may expend certain monies for scrub oak eradication—payments to certain counties.—The State Commission of Forestry is hereby authorized to expend annually an amount not to exceed one-half the total receipts derived annually from the State Parks (sale of timber products only) under the administration of the Commission in order to commence a program not exceeding seven years to carry out scrub

oak eradication operations, timber stand improvement and other management activities on State Park lands and for the reforestation of such treated areas. *Provided,* the State Commission of Forestry shall first expend such funds as are derived hereunder for necessary reforestation projects and fixtures within the park from which timber has been cut and only thereafter shall such funds be expended on other State Parks. The other half of the total receipts derived annually from the State Parks and all unexpended funds, at the end of each fiscal year, heretofore herein authorized to be spent by the State Commission of Forestry for the purposes herein stated, shall be deposited to the general fund of the State. *Provided,* the State Treasurer shall pay to any County containing State Park lands an amount equal to twenty-five per cent of the gross proceeds received by the State in each fiscal year from the sale of timber, pulpwood, and other timber products on such State Park lands in any such County, which said payments shall be in lieu of taxes. This provision shall apply to all State Park lands managed or operated by the State Commission of Forestry whether they be owned in fee by the State or leased from the United States and irrespective of Section 29-29 of the Code of Laws of South Carolina, 1962. Where a particular State Park lands lies in more than one County, the funds derived from such State Park lands and to be paid by the State Treasurer shall be apportioned on the basis of land acreage involved. All funds distributed under the provision of this section shall be spent upon the approval of a majority of the County legislative delegations, including the Senator. The Commission may enter into contracts with such persons as may be necessary in order to carry out the provisions of this act. All timber shall be cut consistent with good forestry practices and such cutting shall not impair the value of the State Parks as to beauty or for recreational purposes and no such timber shall be cut without the approval of the State Budget and Control Board.

SECTION 2. Approval of expenditures.—The program herein authorized shall commence as soon as is practicable after the effective date of this act. *Provided,* that no expenditures or contracts authorized by this act shall be made without the approval of the State Budget and Control Board.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R553, H1227)

No. 383

An Act To Amend Section 70-101, Code Of Laws Of South Carolina, 1962, Relating To Water Pollution Control, So As To Define "Authority", "Air Contaminant", "Sources" And "Undesirable Levels"; To Amend Section 70-103, Code Of Laws Of South Carolina, 1962, Relating To Water Pollution Control Authority Of South Carolina, So As To Change The Name Of The Authority To Pollution Control Authority Of South Carolina; To Amend Section 70-107, Code Of Laws Of South Carolina, 1962, Relating To Control Of Pollution Of Water, So As To Provide For The Control Of Pollution Of The Air Of The State; To Amend Section 70-108, Code Of Laws Of South Carolina, 1962, Relating To Rules And Regulations Of The Authority, So As To Limit Rules And Regulations That May Be Made Pertaining To Air Contamination; To Vest The Authority With Certain Powers, Duties And Functions In The Control Of Harmful Aerial Waste So As To Protect The Purity Of The Air Of This State; And To Provide An Appropriation Therefor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 70-101 amended—definitions.—Item (9) of Section 70-101, Code of Laws of South Carolina, 1962, is amended by striking the word "Water", so that when amended Item (9) shall read as follows:

"(9) '*Authority*' means the Pollution Control Authority of South Carolina;".

Section 70-101, Code of Laws of South Carolina, 1962, is further amended by adding new items to read as follows:

"( ) '*Air contaminant*' means particulate matter, dust, fumes, gas, mist, smoke, or vapor, or any combination thereof produced by processes other than natural.

( ) '*Source*' is any and all points of origin of air contaminants whether privately or publicly owned or operated.

( ) '*Undesirable levels*' means the presence in the outdoor atmosphere of one or more air contaminants in sufficient quantities and of such characteristics and duration as to be injurious to human, plant or animal life or to property."

SECTION 2. Section 70-103 amended—Pollution Control Authority created.—Section 70-103, Code of Laws of South Carolina,

1962, is amended on line two by striking the word "Water", so that when amended the section shall read as follows:

"Section 70-103. There is hereby created within the State Health Department the Pollution Control Authority of South Carolina, consisting of ten members."

SECTION 3. Section 70-107 amended—Authority to control air and water pollution.—Section 70-107, Code of Laws of South Carolina, 1962, is amended to read as follows:

"Section 70-107. The Authority shall have jurisdiction to abate, control and prevent the pollution of the waters and air of the State consistent with the protection of the health and physical property of the people, maximum employment and the full industrial development of the State."

SECTION 4. Section 70-108 amended—rules and regulations.—Section 70-108, Code of Laws of South Carolina, 1962, is amended by adding at the end thereof the following: "The rules and regulations for preventing contamination of the air may not specify any particular method to be used to reduce undesirable levels, nor the type, design, or method of installation or type of construction of any manufacturing processes or other kinds of equipment." The section when amended shall read as follows:

"Section 70-108. The Authority shall adopt, prescribe and promulgate rules and regulations to implement this chapter and to govern the procedure of the Authority with respect to meetings, hearings, filing of reports, the issuance of permits and all other matters relating to procedure and may amend or cancel any such rule or regulation. The rules and regulations for preventing contamination of the air may not specify any particular method to be used to reduce undesirable levels, nor the type, design, or method of installation or type of construction of any manufacturing processes or other kinds of equipment."

SECTION 5. Additional powers.—The Authority shall seek the control of air contaminants by all practical and economically feasible methods. The discharge into the outdoor atmosphere of air contaminants so as to cause undesirable levels is contrary to the public policy of the State and is in violation of this act.

(A) The Authority shall have the power in addition to those powers now vested in it by law:

(1) To prepare and develop a general plan for the proper control of the air resources of South Carolina.

(2) To develop such facts and make such investigations as are consistent with the purposes of this act, and in connection therewith to enter at all reasonable times in or upon any private or public property, except private residences or dwellings of four families or less, to inspect and investigate any condition which the Authority shall have reasonable cause to believe to be a source of air contaminant. The results of any such inspection and investigation shall be reduced to writing and a copy shall be furnished to the owner or operator of the source.

(3) To hold hearings upon complaints or upon petitions for variance so that the procedure conforms with the provisions provided by Sections 70-127, 70-128, 70-129, 70-130 and 70-131, Code of Laws of South Carolina, 1962.

(4) (i) To enter such orders or determinations as may be necessary to effectuate the purposes of this act. If the Authority shall determine that an undesirable level exists, it may take such action as necessary to control such condition.

The Authority shall grant such time as is reasonable for the owner or operator of a source to correct the undesirable condition after taking all factors into consideration that are pertinent to the issue and in compliance with the provisions of this act.

(ii) If the condition is not corrected within the required time then the Authority may order such action as is indicated by the circumstances to cause the control of such condition.

In making its order and determinations, the Authority shall take into consideration all the facts and circumstances bearing upon the reasonableness of the emissions involved including, but not limited to:

(a) The character and degree of injury to, or interference with, the health and physical property of the people;

(b) The social and economic value of the source of the undesirable levels;

(c) The question of priority of location in the area involved; and

(d) The technical practicability and economic reasonableness of reducing or eliminating the emissions resulting from such source.

(5) The institution in a court of competent jurisdiction legal proceedings to compel compliance with any order entered by the Authority.

(6) The assistance and cooperation of any State agency and the officials and employees thereof when it is deemed necessary or beneficial by the Authority to carry out the provisions of this act.

(B) The Authority shall have the following duties with respect to the control of undesirable levels:

(1) Encourage voluntary cooperation by persons, or affected groups in restoration and preservation of a reasonable degree of purity of air.

(2) Encourage and conduct studies, investigations and research concerning air control.

(3) Collect and disseminate information on air control.

(4) Advise, consult and cooperate with other agencies of the State, industries, other states and federal government, and with interested persons or groups in regard to matters of common interest in air control.

(5) Represent the State in any and all matters pertaining to plans, procedures, or negotiations for interstate compacts relating to this act.

(6) To accept, receive and administer grants or other funds or gifts through the State Board of Health for the purpose of carrying out any of the purposes of this act; accept, receive and receipt for federal monies given by the federal government under any federal law to the State of South Carolina for air control activities, surveys or programs.

(C) Nothing contained in this act shall be deemed to grant to the Authority any jurisdiction or authority to make any rule, regulation or determination or to enter any order with respect to air conditions existing solely within the property boundaries of commercial and industrial plants, works or shops or to affect the relations between employers and employees with respect to or arising out of any air condition.

SECTION 6. Confidential information.—Any information relating to secret processes or methods or manufacture or production obtained by the Authority in the administration of this act shall be kept strictly confidential.

SECTION 7. Exceptions may be granted.—(a) The Authority may grant individual variances beyond the limitations prescribed in this act whenever it is found, upon presentation of adequate evidence, that compliance with any provision of this act, or any rule or regu-

lation, final order or determination of the Authority, will result in an arbitrary and unreasonable taking of property or in the practical closing and elimination of any lawful business, occupation or activity, in either case without sufficient corresponding benefit or advantage to the people.

(b) In determining under what conditions and to what extent a variance from this act or rule or regulation hereunder may be granted, the Authority shall give due recognition to the progress which the person requesting such variance shall have made in controlling or preventing undesirable levels. In such a case, the Authority shall grant such variance conditioned upon such person effecting a partial abatement over a period of time which it shall consider reasonable under the circumstances; or the Authority, in conformity with the intent and purpose of this act to protect health and property, may prescribe other and different requirements with which the person who receives such variance shall comply.

(c) Any variance granted pursuant to the provisions of this section shall be granted for such period of time, not exceeding one year, as shall be specified by the Authority at the time of the grant of the variance. Any variance granted by the Authority shall be granted upon the condition that the person who receives it shall make such periodic reports to the Authority as the Authority shall specify as to the progress which such person shall have made toward compliance with any rule or regulation as to which a variance has been granted. Such variance may be extended from year to year by affirmative action of the Authority.

SECTION 8. Appropriation.—There is hereby appropriated from the General Fund of the State the sum of twenty thousand dollars to defray the necessary expenses in carrying out the provisions of this act.

SECTION 9. Saving clause.—If any section, subsection, sentence or clause of this act shall be adjudged unconstitutional, such adjudication shall not affect the validity of the act as a whole or of any section, subsection, sentence or clause hereof not adjudged unconstitutional.

SECTION 10. Act to provide for control of air contaminants.—This act shall be the means within this State for the control of "air contaminants," "sources," or "undesirable levels" as defined herein. Nothing herein shall be construed to prevent private actions to abate

nuisances under existing laws, and the granting of injunctive relief in such actions in the exercise of sound judicial discretion.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R555, H1799) **No. 384**

An Act Requiring The Names And Addresses Of All Prosecuting Witnesses, Defendants And Sureties On Warrants And Recognizances In York County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. York County—warrants and recognizances to contain certain information.—Magistrates in York County, before issuing warrants in criminal cases, shall place the names and addresses of all prosecuting witnesses on the warrant. No recognizance bond shall be approved by the magistrate unless it contains the names and addresses of the defendants and all sureties.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R556, H1468) **No. 385**

An Act To Amend Section 46-436, Code Of Laws Of South Carolina, 1962, Relating To Pedestrians Walking On Roadways, So As To Further Define The Manner In Which Pedestrians Shall Walk Upon Roadways.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 46-436 amended—pedestrians—walking on sidewalks and roadways.—Section 46-436, Code of Laws of South Carolina, 1962, is amended by striking out on lines 4 and 5, the following: "when practicable walk only on the left side of the roadway or its shoulder," and inserting "walk only on the left side of the road-

way or as near as practicable to the edge of such roadway, or its shoulder."

The section, when amended, shall read as follows:

"Section 46-436. Where sidewalks are provided, it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway. Where sidewalks are not provided, any pedestrian walking along and upon a highway shall walk only on the left side of the roadway or as near as practicable to the edge of such roadway, or its shoulder, facing traffic which may approach from the opposite direction."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R557, H1675) **No. 386**

An Act To Provide For Cooperation And Contract Procedures Between Municipalities And Municipalities And Sewage Districts; To Authorize The Issance Of Bonds And To Confirm The Right To Collect Certain Fees.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that there have been large increases in the urban population of the State, resulting in a widespread need for sewers, and sewage collection, disposal and treatment facilities. In many instances such increases have taken place outside of the boundaries of incorporated municipalities. To meet the needs of such areas many special purpose districts have been created.

The General Assembly has taken note of the fact that the State Health Department has been active in persuading public agencies to undertake the construction and operation of sewage treatment facilities, notwithstanding the substantial cash outlay required for such facilities.

It has further noted that in several areas in South Carolina, municipalities and special purpose districts, to whom there have been committed the function of collecting, disposing and treating sewage, are so located that a joint undertaking for the construction and operation of a single sewage treatment facility would accomplish the desired

result at smaller cost to the governmental units involved. It, therefore, wishes to promote the joint undertaking of all programs involving sewage collection treatment and disposal where it would be practical and economical. It recognizes that in order that the needs of such units may be served it is necessary that provision be made for the initial construction of such facilities, their operation and maintenance, and their future enlargement. In order to insure the future adequacy of such facilities, it is necessary that the cooperating governmental agencies not only be empowered to undertake to supply the initial cash outlay needed for the initial construction of such facilities, but that they be further empowered to contract and agree to pay their respective shares of operation and maintenance, and their respective shares of future enlargements and improvements, notwithstanding that such contract might obligate such governmental agency in the future to issue bonds or other obligations to provide their respective shares of such enlargement or improvement.

The General Assembly takes note of the fact that in the instance of incorporated municipalities, they are given power by the Revenue Bond Act for Utilities, Sections 59-361 to 59-415, inclusive, and Chapter 5, Title 59, Volume 6, Code of Laws of South Carolina, 1962, to issue bonds payable from revenues without a petition and election, and that while in the instance of special purpose districts, they are generally empowered to incur debt through the issuance of general obligation bonds authorized by special enactments, they are likewise empowered to issue bonds payable from the revenues of any utility system, including one which would provide for the collection, disposal and treatment of sewage.

Accordingly, the General Assembly proposes to empower all municipalities and all special purpose districts within the State to enter into contracts enforceable inter sese, by which they agree among themselves to pay for the cost of establishing, operating, maintaining, improving and enlarging systems for the collection of sewage, for the disposal of sewage, and for the treatment of sewage, all or any of such purposes.

SECTION 2. Definitions.—(1) The term "General Obligation Bonds" shall mean bonds payable from the proceeds of ad valorem taxes upon all taxable property within the corporate limits of the governmental entity issuing the same.

(2) The term "Sewer Facilities" shall mean any facilities used or useful in the collection, treatment or disposal of sewage, and shall in-

clude sewer mains, sewer trunks, sewer collecting lines, sewer lateral lines, disposal facilities, treatment facilities and any tools or implements used in the construction, maintenance, operation, improvement or enlargement thereof.

(3) The term "Governmental Entity" shall mean any incorporated municipality or special purpose district within the State of South Carolina.

(4) The term "Governing Body" shall mean, in the case of an incorporated municipality, the municipal council of such municipality, and in the case of any special purpose district, the agency or commission charged by law with performing the functions of the special purpose district.

(5) The term "Municipality" shall mean any incorporated city or town.

(6) The term "Person" shall mean any individual, firm or corporation.

(7) The term "sewage" shall mean domestic and industrial waste requiring collection, disposal or treatment.

(8) The term "Revenue Bonds" shall mean bonds issued pursuant to Sections 59-361 to 59-415, inclusive, or Chapter 5, Title 59, Volume 6, Code of Laws of South Carolina, 1962, or any other law incorporating the general provisions of either of these laws.

(9) The term "Sewer Service Charge" shall mean any charge imposed by any municipality or special purpose district for services rendered in the collection, disposal or treatment of sewage.

(10) The term "Sewer Connection Fee" or "Connection Fee" or "Tapping Fee" shall be the charge imposed by any governing body upon any person for providing a tap in or connection to any sewer facilities.

(11) The term "Special Purpose District" shall mean any special purpose or public service district now existing or hereafter created pursuant to general or special law and to which is committed any of the functions of collecting, disposing of and treating sewage.

SECTION 3. Governmental entities may contract with each other concerning sewage.—Every Governmental Entity shall be empowered to enter into contracts with other Governmental Entities for the collection of sewage, for the disposal of sewage, and for the treatment of sewage, and to that end shall be jointly and severally empowered to construct, operate, maintain, enlarge and improve Sewer Facilities designed for use by the parties to the contract. Such contract

may provide for the joint ownership of the Sewer Facilities or for the ownership of such facilities by any of the contracting parties, provided that, in such event, the remaining parties shall be empowered to utilize such Sewer Facilities to the extent provided for in the contract.

SECTION 4. Contracts—execution—filing.—Any contract made between Governmental Entities shall be executed on behalf of each contracting party, after it has been approved by resolution or other action taken by the Governing Body. Wherever any such contract shall be the basis for the issuance of Revenue Bonds or General Obligation Bonds by any of the contracting parties, such contract shall become a part of the transcript of proceedings incident to the issuance of such bonds and shall be filed in the manner prescribed by Section 1-644, Code of Laws of South Carolina, 1962. Copies of all contracts made pursuant to this act shall also be filed with the State Water Pollution Authority.

SECTION 5. Provision for funds—bonds.—Contracts made pursuant to this act may provide that the funds required for Sewer Facilities be furnished by each of the contracting parties or by one or more of them, or may further provide that any one or more of the contracting parties shall furnish funds therefor at stated intervals. Any and all bonds issued by any contracting party pursuant to such contract shall be issued for a corporate purpose of such issuer for which both General Obligation and Revenue Bonds may be issued.

Such contracts may provide that each contracting party shall pay a portion of the cost of operating and maintaining such Sewer Facilities and shall either provide that each contracting party shall pay a specified percentage of such operation and maintenance, or shall provide that the use of the Sewer Facilities be ascertained by metering or other device measuring the quantum of the use of each contracting party as a means of providing the share of the cost of operation and maintenance, and the parties may agree to periodic review and revision of such costs.

SECTION 6. Obligations may be paid by taxes.—The parties to the contract may obligate themselves to provide funds for the operation and maintenance of the Sewer Facilities, and when so obligated shall be required to include the quantum of such obligation in each annual budget of the contracting party, and shall be fully empowered to raise the same by ad valorem taxes levied in the manner that other

ad valorem taxes are levied by or on behalf of such contracting party, or to raise the same through the imposition of a Sewer Service Charge.

SECTION 7. Sewer service charges.—The General Assembly confirms the right of all Municipalities and Special Purpose Districts to impose upon all those to whom sewer service is rendered, (a) A Sewer Service Charge therefor, which may, in the discretion of its Governing Body be sufficient to provide for all or any part of the cost of operating and maintaining such Sewer Facilities and to provide debt service on bonds or other obligations of such Governmental Entity issued to provide any type of sewer collection, disposal or treatment service, and (b) A Sewer Connection Charge, or Connection Fee or Tapping Fee designed to adequately reimburse the Governing Body for effecting the connection to provide sewer service.

SECTION 8. Sewer charges may be added to water bills.—In instances where the Governing Body provides water service to any person to whom it furnishes sewer service, then the Governing Body of such Governmental Entity shall be fully empowered to add the Sewer Service Charge to the charge rendered for water service in a single bill and to disconnect water service upon the failure of such person to pay both the water charge and Sewer Service Charges.

SECTION 9. Further.—In instances where the Governing Body does not furnish water service, but some other private or public agency furnishes water service to some or to all of the persons to whom such Governing Body furnishes sewer collection service, then in such event the Governing Body shall be fully empowered to contract with such private or public agency for the collection of its Sewer Service Charge as a part of a single joint bill for water and sewer service. Such contract shall be upon terms and conditions mutually agreeable and shall constitute the collecting agency, the agent of the particular Governing Body for the purpose of collecting Sewer Service Charges as the Governing Body shall from time to time impose, and shall empower the collecting agency, as agent of the Governing Body to disconnect water service upon nonpayment of such Sewer Service Charge.

SECTION 10. Sewer service charges may become liens on property—hearing—appeals.—In the event that it is impractical to provide for the collection of all or any part of the Sewer Service Charge

jointly with charges rendered by a private or public agency for water service, then in such event the Governing Body shall be fully empowered to levy an assessment for the annual Sewer Service Charge. Prior to the making of any sewer connection or the furnishing of any sewage disposal service for which the prescribed Sewer Service Charge shall pursuant to Section 11 of this act become a lien on the property affected and prior to any subsequent increase in any Sewer Service Charge not less than ten days written notice shall be given to each affected property owner notifying him of the nature and quantum of the Sewer Service Charge and providing such property owner an opportunity, if desired and requested, to appear and be heard in person or by counsel before the Governing Body. Following such hearing, if such be requested and held, action shall be taken by the Governing Body and notice of its decision shall be given to the property owner concerned or his counsel as the case may be not less than ten days prior to the effective date of the Sewer Service Charge. Any property owner aggrieved by the action of the Governing Body may proceed by appeal in the Court of Common Pleas for the county in which his property or any part thereof lies, to have such court review the action taken by the Governing Body at which time the court will determine the validity and reasonableness of the Sewer Service Charge. Sewer Service Charges not intended to become liens in the case of nonpayment may be imposed and subsequently increased upon any user without such notice and hearing. The appeal provided for herein shall be pursuant to the provisions of Chapter 4, of Title 7 of the Code of Laws of South Carolina, 1962, providing for appeals to the Court of Common Pleas.

SECTION 11. When unpaid charges to constitute lien.—If the notice or notices prescribed by Section 10 of this act shall have been given and any hearing requested pursuant thereto shall have been held all Connection or Tapping Fees, Sewer Service Charges and other charges imposed by the Governing Body following that procedure under authority of this act and not paid when due and payable, shall constitute a lien upon the real estate to which the sewage service concerned relates so long as the fees or charges remain unpaid. In addition to such other rights and remedies as may be available to the Governing Body in law or in equity for the collection of such fees and charges, the lien may be enforced by the Governing Body in the same manner and fashion as the lien of property taxes on real estate.

SECTION 12. Other methods may be used for collection of unpaid charges.—The method provided in this act for the enforcement of the collection of past due Sewer Service Charges and Connection Fees by creating the liens against real property shall not be the exclusive method of enforcing such collection and the Governing Body is fully empowered to enforce the collection of any such fees and charges in any other lawful manner in all or any part of the Municipality or Special Purpose District, including particularly by way of a contract as authorized under Section 9 of this act.

SECTION 13. Enforcement of contracts — specific performance.—Any contract authorized pursuant to this act may provide for the enforcement of its terms and provisions through the means of specific performance, and any court of competent jurisdiction shall be fully empowered to enforce such contract according to its terms and conditions, and may utilize the process of injunction or mandamus to effect the enforcement thereof; and one contracting party may compel another contracting party to enforce the collection of Sewer Service Charges where the agreement to impose Sewer Service Charges is an obligation of any contract.

SECTION 14. Special purpose districts—additional powers for issuing bonds.—The Governing Body of any Special Purpose District entering into a contract pursuant to this act, by which it shall have agreed to issue bonds, whose proceeds are to be used for the purpose of constructing Sewer Facilities, or for any enlargement or improvement thereof, shall be fully empowered—in addition to all other authorizations then existing and without regard to any limitation otherwise imposed—to issue General Obligation Bonds of the Special Purpose District to enable such district to fulfill its contractual obligations. To the end that a convenient procedure may be prescribed therefor, such Governing Body shall be fully empowered to utilize the provisions of that portion of the County Bond Act now codified as Sections 14-517 to 14-528, inclusive, Code of Laws of South Carolina, 1962, as such sections are now constituted or shall, after any amendment thereto, be hereafter constituted, it being intended that amendments or revisions of these sections of the County Bond Act shall be effective upon the powers granted by this section to Governing Bodies. It is intended that the statutory vehicle granted by this section to Governing Bodies for the issuance of bonds shall be in addition to power existing in such Governing Bodies to issue Revenue Bonds.

SECTION 15. Powers to be additional.—All powers granted by this act are intended to be supplementary to any powers now existing and not in abrogation thereof.

SECTION 16. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R562, H1565) **No. 387**

An Act To Authorize The Clerk Of Court Of Aiken County To Remove Or Destroy Certain Chattel Mortgages.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Aiken County may destroy old chattel mortgages.—The Clerk of Court of Aiken County is authorized and directed to remove from the active shelves of his office, and store or destroy, all chattel mortgage records ten years of age or over which do not involve any real estate transactions.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R563, H1791) **No. 388**

An Act To Amend The Code Of Laws Of South Carolina, 1962, By Adding Section 21-3711.4, So As To Provide That The Trustees Of School District No. 6 In Orangeburg County Shall Be Elected By The Electors Of The Entire District.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 21-3711.4 added—Section 21-3711.3 not applicable to Orangeburg County School District 6.—The Code of Laws of South Carolina, 1962, is amended by adding Section 21-3711.4, to read as follows:

"Section 21-3711.4. The provisions of Section 21-3711.3 shall not be applicable to the election of trustees of School District No. 6

in Orangeburg County. The trustees shall be elected by the electors of the entire district."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R566, H1832)

No. 389

An Act To Redefine The Territorial Limits Of The School District Of Aiken County; To Redefine Its Powers And Functions And Its Relation, For School Purposes, To Those Sections Of Saluda And Edgefield Counties Set Forth In Section 21-131, Code Of Laws Of South Carolina, 1962; To Validate An Election Held In The School District Of Aiken County On May 18, 1965, Resulting Favorably To The Issuance Of Three Million Dollars Of General Obligation Bonds Of The School District; And To Authorize The Issuance Of Such Bonds.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—As an incident to the enactment of this act the General Assembly has made the following findings of fact:

1. The School District of Aiken County (the school district) is coextensive with Aiken County itself and was created by a resolution of the Aiken County Board of Education adopted on September 11, 1951. It is governed and managed by the Aiken County Board of Education (the county board) whose composition is now prescribed by Section 21-1031 of the Code of 1962.

2. By reason of the provisions of Section 21-1035 of the Code of 1962, the county board is, ex officio, the board of school trustees of the school district.

3. By reason of an amendment to Section 5 of Article X of the Constitution, the school district is authorized to incur bonded debt to the extent of twenty-five per cent of the assessed value of all taxable property therein.

4. By Act No. 271 of 1953 the General Assembly, recognizing the population distribution in the Monetta section of Aiken County, the

Ridge Spring section of Saluda County and the Wimberly Branch section of Edgefield County, enacted as follows:

> "Those portions of the counties of Saluda and Edgefield, comprising the area designated as Ridge Spring School District No. 2 of Saluda County, as defined on a map thereof filed in the office of the Board of Education of Saluda County, and Wimberly Branch School District of Edgefield County, as defined on a map thereof in the office of the Board of Education for Edgefield County, and the School District of Aiken County, are consolidated for school purposes only to the end that a new and larger school attendance area shall be formed, comprising the Attendance Area of Monetta in Aiken County and the Ridge Spring School District No. 2 of Saluda County and Wimberly Branch School District of Edgefield County. The consolidation shall be subject to the provisions of this act and shall be designated as the Monetta-Ridge Spring Attendance Area No. 5."

5. This act, as amended by Act No. 946 of 1958, re-enacted in substance, but with certain changes, the Act of 1953 and made further provision for the operation and maintenance of schools within the so-called Monetta-Ridge Spring Attendance Area No. 5 (Monetta-Ridge Spring).

6. Act No. 709 of 1960 redefined the boundaries of Monetta-Ridge Spring, declaring that "this attendance area shall for school purposes only constitute an integral part of the School District of Aiken County," and further empowered the county board to expend capital funds within that area.

7. Three schools are now being operated and maintained by the county board with that portion of Monetta-Ridge Spring which lies in Saluda County. There have been no schools constructed within that portion of Monetta-Ridge Spring which lies in Edgefield County.

8. The arrangement by which this section of Edgefield County contributed to the cost of providing schools with Monetta-Ridge Spring is on a per pupil average attendance basis. It is set forth in Section 6 of Act No. 946 of 1958.

9. A different arrangement exists with respect to that portion of Monetta-Ridge Spring lying within Saluda County. The arrangement set forth in Section 7 of Act 946 requires the Auditor and Treasurer of Saluda County to levy and collect a tax on that portion of Monetta-Ridge Spring lying within Saluda County, similar to the tax levy imposed in Aiken County.

10. Significant to the problems dealt with by this act is the fact that there is no special constitutional amendment as to Edgefield and Saluda Counties similar to that set forth in paragraph 3 of this section and the debt limitation applicable to school districts of Edgefield and Saluda Counties is eight per cent. It was for this purpose, among others, that the language of the acts above referred to made Monetta-Ridge Spring a part of the school district for "school purposes only."

11. Acting pursuant to the School Bond Act (Sections 21-971 to 21-990, inclusive, of the 1962 Code) the county board having first found that a substantial outlay of funds was required for school facilities throughout the School District of Aiken County, ordered that a special election be held in the district on Tuesday, May 18, 1965, for the purpose of submitting to the qualified electors of the school district the following question:

> "Shall the Board of Trustees of The School District of Aiken County, the State of South Carolina, be empowered to issue not exceeding Three Million Dollars ($3,000,000) of general obligation bonds of said School District, whose proceeds shall be used to construct, improve, equip, renovate and repair school buildings and other school facilities, and acquire sites whereon to construct or establish such school facilities?"

12. In the notice of election ordered published the several polling precincts in Aiken County only were listed and the election advertised only in the "AIKEN STANDARD AND REVIEW." It had been the plan of the county board to add new school facilities in Monetta-Ridge Spring, and upon being advised that directly or indirectly they might be called upon to pay a portion of the cost, it was decided that notwithstanding that the notice otherwise specified, polling places would be set up in the Saluda County precincts lying in whole or in part within Monetta-Ridge Spring.

13. The election resulted favorably to the issuance of bonds by a vote of 5767 to 1234.

In addition the seven Saluda County precincts lying in whole or in part within Monetta-Ridge Spring voted favorably upon the issuance of the bonds by a vote of 126 to 79.

14. Questions with respect to the election have now arisen as follows:

(1) Should the notice of election have stated that the election would be conducted in the Saluda County precincts lying in whole or in part within Monetta-Ridge Spring?

(2) Is the failure to advertise that the election would be held in the school district an irregularity of sufficient importance to question the result of the election?

Further questions result from the effect of the action of the General Assembly in the creation of Monetta-Ridge Spring, which include:

(a) Is the area a part of the School District of Aiken County?

(b) If so, would not the election be void for the reason that the debt limitation applicable does not apply in Saluda County, and, therefore, the election is invalid and void?

15. The General Assembly has carefully investigated the matter and has concluded that it was never intended that any portion of either Edgefield or Saluda Counties be added to the School District of Aiken County, but that a relation contractual in nature and terminable at the will of the General Assembly, or at the will of the respective County Boards of Education of Aiken, Edgefield and Saluda Counties be arranged on a basis, that by reason of the mutual benefits resulting, both to the portions of Edgefield and Saluda Counties so affected, and to the portion of Aiken County also affected, the county board would provide and operate schools and school facilities anywhere within Monetta-Ridge Spring and irrespective of the county lines.

16. On this basis the General Assembly has determined that it should:

(1) Redefine and redeclare the status of the School District of Aiken County;

(2) Redefine the nature of the arrangement made by which school facilities are made available by the county board to areas of Saluda and Edgefield Counties; and

(3) Affirm the right of the School District of Aiken County to construct new school facilities and thereafter operate and maintain them within the area irrespective of county lines and to operate schools therein.

17. The General Assembly has further ascertained that notwithstanding any irregularities, the election held on May 18, 1965, was fairly conducted and resulted overwhelmingly for the issuance of bonds. It has, therefore, determined that no further election need be held pursuant to the School Bond Act, and that on the basis of the result of the election so held and the authorizations of this act, the county board may avail itself of the remaining authorizations of the School Bond Act and issue bonds to the extent voted upon favor-

ably, without further action or approval of any agency which, when issued, shall be secured by a pledge of the full faith, credit and taxing power of the school district, and for which shall be levied an ad valorem tax upon all taxable property within the school district, as herein defined, without limit as to rate or amount.

SECTION 2. Boundaries for Monetta-Ridge Spring defined.—For the purposes of this act Monetta-Ridge Spring shall have the boundaries set forth in Section 1 of Act No. 709 of 1960, as follows:

> "That portion of Saluda County comprising the area formerly known as Ridge Spring School District No. 2, as defined on a map thereof filed in the office of the Board of Education of Saluda County, that portion of Edgefield County formerly known as Wimberly Branch School District as defined on a map thereof filed in the Office of the Board of Education of Edgefield County, and that portion of Aiken County formerly known as Progressive School District No. 10 are hereby consolidated and designated as the Monetta-Ridge Spring Attendance Area No. 5. This attendance area shall for school purposes only constitute an integral part of the School District of Aiken County."

SECTION 3. Bond issue authorized.—Having found that the special election held on May 18, 1965, fully and freely expressed the will of those affected thereby, and having resulted favorably to the issuance of bonds, the General Assembly declares that the condition precedent imposed by the School Bond Act has been satisfactorily met, and that the county board may, pursuant to the remaining provisions of the act, issue general obligation bonds of the school district as herein defined, not exceeding three million dollars.

SECTION 4. School District of Aiken County.—The School District of Aiken County shall continue as established by the action of the county board of education on September 11, 1951, and shall be co-extensive with Aiken County itself. Its affairs shall continue to be conducted and its functions performed by the county board as now established.

SECTION 5. Operation of schools at Monetta-Ridge Spring.—In addition to all other powers granted to the school district, and on the basis of the mutual advantages accruing, the county board shall be empowered to establish and thereafter operate and maintain schools and school facilities within Monetta-Ridge Spring until

such time as such arrangement be changed by an act of the General Assembly or by independent action taken by the boards or agencies exercising functions of the County Board of Education for any of Aiken, Edgefield or Saluda Counties.

SECTION 6. Reimbursement by Edgefield County.—So long as such arrangement shall continue, Edgefield County shall reimburse the county board on the basis prescribed by Section 6 of Act 946 of 1958.

SECTION 7. Reimbursement by Saluda County.—So long as such arrangement shall continue, Saluda County shall reimburse the county board on the basis prescribed by Section 7 of Act 946 of 1958.

SECTION 8. Disposition of school facilities if arrangement terminated.—If and when the arrangement herein mentioned be terminated, then, and as a consequence thereof, school facilities constructed and paid for by the county board, and located beyond the boundaries of the school district, shall vest in the appropriate school authorities of the county in which it is situate, subject to the obligation on the part of the county or the school district thereof to pay for the same on the basis of their then depreciated values to be determined by three independent appraisers to be appointed by the State Superintendent of Education.

SECTION 9. Certain acts to remain in effect.—Save and except as herein affected, the Acts of the General Assembly enacted in 1953, 1958 and 1960, above referred to, and which are now codified as Article 3, Chapter 8, Title 21, Volume 5, Code of Laws of South Carolina, 1962, shall remain of full force and effect.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R568, H1495)

No. 390

An Act To Amend Section 21-1031, Code Of Laws Of South Carolina, 1962, Relating To The Aiken County Board Of Education, So As To Increase The Membership And Provide For Additional Election Districts.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 21-1031 amended—Aiken County Board of Education—members—election districts.—Section 21-1031, Code of Laws of South Carolina, 1962, is amended by striking the word "nine" on lines two and five and inserting the word "ten"; by striking "East Aiken, West Aiken" on line nine and inserting "Aiken No. 1, Aiken No. 2, Aiken No. 3, Aiken No. 4"; by striking "No. 1, Millbrook No. 2" on line ten and inserting, "College Acres"; by striking "North Augusta" on line eighteen and inserting "North Augusta No. 1, North Augusta No. 2"; by striking ", New Holland and Seivern" on lines twenty-one and twenty-two and inserting "and New Holland"; and by adding a new line following line twenty-three to read as follows: "Election District No. 10: New Ellenton and Talatha." When so amended the section shall read as follows:

"Section 21-1031. The Aiken County board of education shall be composed of ten members, who shall be citizens of Aiken County. One member of the board shall be elected by the qualified electors of each election district. For the purpose of election of a board of education, Aiken County is divided into ten election districts, each of which shall comprise that territory of the county which is included in the voting precincts created in Section 23-155, and grouped as follows into election districts:

Election District No. 1: Aiken No. 1, Aiken No. 2, Aiken No. 3, Aiken No. 4, Clearwater No. 1, Eureka, Millbrook, College Acres, Montmorenci, Shiloh and Shaws Fork.

Election District No. 2: Jackson.

Election District No. 3: Graniteville, Warrenville and Vaucluse.

Election District No. 4: Langley, Gloverville, Bath and Clearwater No. 2.

Election District No. 5: Monetta, Chinquapin, Oak Grove, Ward No. 1, Ward No. 2 and McTeer.

Election District No. 6: North Augusta No. 1, North Augusta No. 2, Belvedere, Beach Island and Carolina Heights.

Election District No. 7: Salley and Tabernacle.

Election District No. 8: Wagener, Perry, Rocky Springs and New Holland.

Election District No. 9: Windsor and White Pond.

Election District No. 10: New Ellenton and Talatha.

The members of the board shall be elected by the qualified electors voting at the various precincts that comprise each election district.

Qualified electors residing in those areas of Edgefield and Saluda Counties which form part of the Monetta-Ridge Spring Attendance Area No. 5 shall have the right to vote for the member of the Aiken County board of education from Election District No. 5. Such electors shall vote at such precincts as may be designated by the Aiken County board of education, and each elector shall satisfy the box managers that he actually resides within the attendance area."

SECTION 2. Election for District 10.—The Aiken County board of education shall order an election to be held within Election District No. 10 for the purpose of electing a trustee not less than thirty nor more than forty days from the effective date of this act.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R569, H1709) **No. 391**

An Act To Amend Section 28-861, Code Of Laws Of South Carolina, 1962, Relating To The Area For Trawling For Shrimp From March Fifteenth To December Fifteenth, So As To Change The Area In Beaufort County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 28-861 amended—area and season for trawling for shrimp.—Section 28-861, Code of Laws of South Carolina, 1962, is amended by striking all after the semicolon on line twelve through the word "to" on line fifteen and by inserting in lieu thereof the following: "thence northeasterly and continuing along the shore line of Hilton Head Island around to its northernmost point and continuing therefrom to a", and by striking the figure "1" on line seventeen and inserting in lieu thereof the figure "3". When amended the section shall read as follows:

"Section 28-861. It shall be lawful to trawl for shrimp or prawn seaward from the boundary described in this section from March fifteenth to December fifteenth, both inclusive: Beginning at a point on the west bank of Wright River at its entrance to the sea extending eastward across the mouth of the river to the southernmost tip of Turtle Island; thence following the shore line of Turtle Island to a point on the northeasternmost tip of Turtle Island; thence turning and running true east in a line tangent to the southernmost tip of Bloody Point; thence turning and running northeasterly along Daufuskie Island to a proposed marker (SC 1), latitude 32° 07.1′ N. and longitude 80° 50.4′ W.; thence running true east across Calibogue Sound to a proposed marker (SC 2), latitude 32° 07.1′ N. and longitude 80° 49.6′ W.; thence northeasterly and continuing along the shore line of Hilton Head Island around to its northernmost point and continuing therefrom to a flashing light designated on United States Coast and Geodetic Survey chart 1240 as FL ev 4 sec '3' and thence to bell buoy No. 2 at the northern tip of Hilton Head Island, running easterly through bell buoy No. 2; thence continuing to red-lighted gong buoy; thence to black day marker No. A-19 at the mouth of Station Creek; thence seaward around Bay Point Island to the tip of the spur at Coles Care; thence turning and running true east to a proposed marker (SC 3) at latitude 32° 16.0′ N. and longitude 80° 35.9′ W.; thence continuing true east to a proposed marker (SC 4) at latitude 32° 16.0′ N. and longitude 80° 35.5′ W. on the northern edge of the highland of Bull's Point; thence turning seaward and following the shore line, but excluding all creeks, to a point at the northernmost point of Fripp Island at Fripp's Inlet; thence turning and running true north to the shore line of Hunting Island; thence along the seaward edge of Hunting Island across the mouth of Johnson Creek to a point at the northernmost part upon the island; thence northwesterly to day marker A-11; thence to day marker A-9; thence to day marker A-7; thence to day marker A-5; thence to day marker A-4; thence to day marker A-2; thence to day marker A-1; thence to flashing range light on the Combahee bank; thence to a proposed marker (SC 5) on the west of Otter Island at latitude 32° 29.1′ N. and longitude 80° 25.2′ W.; thence seaward along the shore line of Otter Island to a point at the mouth of Jefford and Fish Creek on the southern tip of Otter Island opposite Pine Island; thence turning and running in a southeasterly direction to the southernmost tip of Bay Point on Edisto Island; thence along the shore line of Edisto Island,

excluding all creeks, to a point on the western bank of the North Edisto River; thence due east across the North Edisto River to a point at the southwesternmost tip of Seabrook Island; thence seaward along the shore line of Seabrook and Kiawah Islands, excluding all inlets, to Sandy Point; thence northeasterly to buoy C-7; thence in a northerly direction to the southwesternmost tip of Folly Island; thence along Folly Island, across Lighthouse Inlet and along the seaward side of Morris Island to a point at Cummings Point where the jetty meets the beach; thence in a northeasterly direction across the Charleston Harbor to a point on Sullivans Island where the north jetty touches the island; thence along Sullivans Island, the Isle of Palms, Dewees Island, Capers Island and Bull Island, excluding all creeks, to a point at the northernmost tip of Bull Island; thence in a straight line northeasterly to the westernmost tip of Sandy Point; thence seaward along Raccoon Key to its easternmost tip; thence southeasterly to round the seaward side of Cape Romain and northward along the seaward shore of Cape Island to a point on the northernmost tip of such island; thence turning and running in a northwesterly direction to a point on the southeasternmost bank of Alligator Creek; thence turning and running in a northeasterly direction across Alligator Creek to a point on its northeastern bank; thence turning seaward and running along the shore line of Murphy Island to a point on the western bank of the Santee River and across the mouth thereof to a point on the southwestern tip of Cedar Island; thence along Cedar Island across the mouth of the North Santee Bay to Santee Point; thence along the seaward shore of South Island to the northernmost point on the easternmost peninsula of the island; thence in a straight line to nun buoy 2 N.; thence turning and running in a northwesterly direction following the north jetty to the southernmost tip of North Island; thence northeasterly following the shore line to the North Carolina-South Carolina boundaries, excluding all inlets."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R570, H1725)

No. 392

An Act To Amend Section 14-1001, Code Of Laws Of South Carolina, 1962, Relating To The Composition Of The Board Of Directors Of Beaufort County, So As To Provide For The Election Of Its Members And Their Terms, And To Repeal Section 14-1002, Code Of Laws Of South Carolina, 1962, Relating To The Appointment Of The Members Of The Board Of Directors.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 14-1001 amended—Beaufort County Board of Directors—composition of.—Section 14-1001 of the Code of 1962 is amended by striking it and inserting in lieu thereof the following:

"Section 14-1001. The Board of Directors of Beaufort County shall consist of nine members who shall serve for terms of two years. Each township shall be entitled to one member for each fourteen thousand residents, or fraction thereof, according to the latest official United States Census, and two members shall be elected from the county at large. The members at large shall be elected by all the electors of the county, and the members from the several townships, who shall be residents thereof, shall be elected by the electors of the townships only. The terms of the members elected in the general election to be held in 1966 shall commence January 1, 1967. Should a vacancy occur and the term exceed six months, it shall be filled by special election. If the term be for less than six months, the office shall remain vacant."

SECTION 2. Section 14-1002 repealed.—Section 14-1002 of the Code of 1962 is hereby repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R572, H1796)

No. 393

An Act To Amend An Act Of The General Assembly Of 1965 Bearing Ratification Number R-311, Creating The Chester County Police Department, So As To Delete Therefrom The Requirement That Deputies Reside Within The Definite Communities And Their Salaries Be Paid By The Corporations Concerned.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 7 of Act 219 of 1965 amended—deputies may be appointed upon request of certain corporations.—Section 7 of an Act of 1965 bearing Ratification Number R-311 is amended by deleting therefrom the following sentence beginning on line eleven: "The deputies shall reside within the community for whose protection they are appointed and their salaries shall be fixed by contract and paid by the corporation." When so amended the section shall read as follows:

"Section 7. Upon a written statement of the president, treasurer or other executive officer having the management of an industrial corporation located in Chester County, directed to the sheriff and setting forth that, in his opinion, the interest of the industrial community and locality under his management requires special police supervision and that in the same community fifty or more inhabitants are included, the sheriff shall appoint one or more discreet and suitable persons as deputies who shall be satisfactory to the president, treasurer or other executive officer of the corporation requesting the appointment, and whose terms of office shall be for one year unless sooner removed by the sheriff. The jurisdiction of the deputies shall extend over the property controlled by the corporation and, in addition, over all territory within a radius of one mile from the main building in which the industry of the corporation is operated. Before entering upon the duties of their office, the deputies shall take the oath prescribed by the Constitution and statutes of this State. A deputy shall be removed from office by the sheriff upon the request of the executive officer of the corporation when it appears that he is not discharging his duties satisfactorily.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R575, H1864)

No. 394

An Act To Amend Act No. 119 Of 1963, As Amended, Relating To The Newberry County Water Authority, So As To Prohibit Municipalities Or Other Agencies From Extending Present Water Systems Without Prior Approval.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 13 of Act 119 of 1963 amended—contracts to purchase water—certain facilities not to be extended without approval.—Section 13 of Act No. 119 of 1963, as amended, is further amended by adding at the end the following: "No municipality or other agency operating water systems shall extend its present facilities beyond the corporate limits without prior written approval of the Authority." When so amended, Section 13 shall read:

"Section 13. All municipalities, public bodies and public agencies operating water district systems in and adjacent to Newberry County shall be fully empowered to enter into contracts to buy water from the Authority. Such contracts shall extend over such period of time and shall contain such terms and conditions as shall be mutually agreeable to the Authority, and to the contracting municipality, public body or public agency. No municipality or other agency operating water systems shall extend its present facilities beyond the corporate limits without prior written approval of the Authority."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R576, H1889)

No. 395

An Act Providing For Civil Defense In Union County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Purpose of act.—The declared purposes of this act are to provide for the preparation and carrying out of plans, including mock or practice drills, for the civil defense of persons and property within Union County in the event of a disaster, and to provide for the coordination of the civil defense and disaster functions of this county and all other public agencies and affected private persons.

Any expenditures made in connection with civil defense and disaster activities, including mutual aid activities, and mock or practice drills, shall be deemed conclusively to be for the direct protection and benefit of the inhabitants and property of the County of Union. This act is not in any way to affect the work of the American Red Cross or other Volunteer agencies organized for relief in natural disasters.

SECTION 2. Definitions.—a. As used in this act the term "Civil Defense" shall mean the preparation for and the carrying out of all emergency functions, other than functions for which military forces are primarily responsible, to prevent, minimize, and repair injury and damage resulting from disasters. It shall not include, nor does any provision of this act apply to any condition relating to labor controversy, riots, strikes, insurrections, or civil disturbances.

b. As used in this act the term "Disaster" shall mean actual or threatened enemy attack, sabotage, extraordinary fire, flood, storm, epidemic, earthquake, or other similar public calamity.

SECTION 3. Union Civil Defense Council created—members.—The Union Civil Defense Council is hereby created and shall consist of the following:

a. The County Legislative Delegation and mayor of each incorporated municipality within the county who participates financially in the civil defense personnel and administrative program. The chairman of the delegation will act as chairman of the civil defense council.

b. The director of civil defense, who shall be an ex officio and vice chairman.

SECTION 4. Duties.—It shall be the duty of the Union Civil Defense Council to review and recommend for adoption civil defense and mutual aid plans and agreements and such resolutions and rules and regulations as are necessary to implement such plans and agreements. The civil defense council shall meet upon call of the chairman or in his absence from the county or inability to call such meeting, upon the call of the vice chairman.

SECTION 5. Director—duties.—There is hereby created the office of Director of Civil Defense for Union County who shall be appointed by the civil defense council.

The director shall:

a. Develop plans for the immediate use of all the facilities, equipment, manpower and other resources of the county for the purpose

of minimizing or preventing damage to persons and property; and protecting and restoring to usefulness governmental services and public utilities necessary for the public health, safety and welfare.

b. Negotiate and conclude agreements with owners or persons in control of buildings or other property for the use of such buildings as public shelters.

c. Accept and approve, on behalf of the county, the fallout shelter license in the manner and form as set forth on the fallout shelter license or privilege form approved by the Secretary of Defense.

d. Control and direct the effort of the civil defense organization of this county for accomplishment of the purposes of this act.

e. Direct coordination and cooperation between divisions, services and staff of the civil defense organization of this county, and to resolve questions of authority and responsibility that may arise between them.

f. Represent the civil defense organization of this county in all dealings with public or private agencies, pertaining to civil defense and disaster.

g. Coordinate the recruitment of volunteer personnel and agencies to augment the personnel and facilities of the county for civil defense purposes.

h. Educate, through public informational programs, the civilian population as to actions necessary and required for the protection of their person and property in case of enemy attack, disaster, or planned evacuation.

i. Conduct public practice alerts to insure the efficient operation of the civil defense forces and to familiarize residents with civil defense regulations, procedures and operations.

j. Coordinate the activity of all other public and private agencies engaged in any civil defense activity.

k. Assume such authority and conduct such activity as the civil defense council may direct to promote and execute the civil defense plan.

SECTION 6. Powers.—In the event of disaster as herein provided, the director may:

a. Make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such disaster; *provided,* however, such rules and regulations must be confirmed at the earliest practicable time by the civil defense council.

b. Obtain vital supplies, equipment and such other properties found lacking and needed for the protection of the life and property of the

people, and bind the county for the fair value thereof, and if required immediately, to commandeer them for public use.

c. Require emergency services of any county officer or employee, and in the event of a proclamation by the Governor of the existence of a disaster, to command the aid of as many citizens of this community as he considers necessary in the execution of his duties; such persons shall be entitled to all privileges, benefits and immunities as are provided by State law for registered civil defense workers.

d. Execute all of the special powers conferred upon him by this act or by resolution adopted pursuant thereto, all powers conferred upon him by statute, agreement approved by the civil defense council, or by any other lawful authority.

e. Requisition necessary personnel or materials of any county department or agency.

SECTION 7. Civil Defense organization.—All county and city officers and employees of this county, together with those volunteer forces enrolled to aid them during a disaster, and persons who may by agreement or operation of law, including persons pressed into service under the provisions of Section 6 (c) of this act, charged with duties incident to the protection of life and property in this county during disaster, shall constitute the civil defense organization of the County of Union.

SECTION 8. Powers and duties.—The functions and duties of the Union County Civil Defense Organization shall be distributed among such divisions, services, and special staff as the civil defense council shall prescribe.

The director of civil defense shall concurrently with the adoption of this act and approval of the council, prescribe the form of organization, establishment and designation of divisions and services, the assignment of functions, duties, and powers, the designation of officers and employees. Insofar as possible, the form of organization, titles and terminology shall conform to the recommendation of the Federal government and Department of Civil Defense of the State of South Carolina.

SECTION 9. Unlawful acts—penalties.—It shall be unlawful:

a. To willfully obstruct, hinder, or delay any member of the civil defense organization in the enforcement of any lawful rule or regulation issued pursuant to this ordinance, or in the performance of any duty imposed upon him by virtue of this act.

b. To do any act forbidden by any lawful rules or regulations issued pursuant to this act, if such act is of such a nature as to give, or be likely to give assistance to the enemy, or to imperil the lives or property of inhabitants of this county, or to prevent, hinder or delay the defense or protection thereof.

c. To wear, carry, or display, without authority, any means of identification specified by the Department of Civil Defense of the State or local civil defense.

Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction shall be fined in an amount not to exceed one hundred dollars or be imprisoned for a term not to exceed thirty days.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R577, H1543)

No. 396

An Act To Extend The Provisions Of The South Carolina Defense Scholarship Fund So As To Make Matching Funds Available For Loan Programs Of The Health Professions Educational Assistance Act Of 1963 And The Nurse Training Act Of 1964.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Act 833 of 1962—application of.—The provisions of Act No. 833 of 1962 shall apply to students and institutions of higher learning which otherwise qualify under the Health Professions Educational Assistance Act of 1963 (P.L. 88-129) and the Nurse Training Act of 1964 (P.L. 88-851).

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R578, H1687) **No. 397**

An Act To Empower Special Purpose Or Public Service Districts Exercising The Power To Construct And Operate Sewage Collection And Disposal Facilities To Impose And Enforce The Payment Of Sewer Service Charges; To Contract With Public Or Private Agencies Operating Water Systems For The Collection Of Sewer Charges; To Adopt And Enforce Regulations Requiring Property In The District To Connect To And Use The District Sewage Collection Facilities And Regulating Generally The Use Of Sewage Facilities; To Impose Front Foot Assessments Against Property Abutting Its Sewer Lines; And To Make Unpaid Sewer Charges A Lien Against The Property Served.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Determinations of General Assembly.—The General Assembly has from time to time created and established special purpose or public service districts throughout the State of South Carolina for the purpose, inter alia, of providing for the establishing of appropriate facilities for the collection, disposal or the treatment of sewage. Generally the cost of constructing such facilities has been defrayed from the proceeds of a districtwide ad valorem tax upon all property lying within the district involved. This method of financing such facilities was based upon the General Assembly's conclusion that all properties within the district benefited by the proposed improvement in proportion to their assessed value. However, it appears that in some instances the cost of constructing all or a portion of such facilities can be more equitably distributed by assessing the cost of constructing sewer laterals against the properties facing thereon. In addition a sewer service charge is likewise proper in many instances.

The General Assembly concludes that in order to facilitate the construction and operation of sewer systems by special purpose or public service districts, all of such districts should be granted all of the powers set forth in this act.

In view of the foregoing, the General Assembly has determined to give the governing body of each such district, in addition to those powers already vested in them respectively, the power: (a) to place into effect, revise, enforce, and collect a schedule of charges for its sewage collection service; (b) to contract with any public or private agency operating a water system for the collection of such sewer

charges; (c) to adopt and enforce regulations requiring all properties to which sewer service is available to connect to the district's sewage collection facilities as now existing or hereafter improved; (d) to make regulations generally with respect to the discharge of sewage and the use of privies, septic tanks and any other type of sewage facilities; (e) to impose front foot assessments against properties abutting the sewage collection laterals; and (f) to make unpaid sewer service charges a lien against the property served.

It is the legislative intent of this act that it shall be deemed complementary and supplementary to existing laws relating to each such district and to add to the powers, functions and duties committed to the several governing bodies thereof in order that such districts may fulfill their function of preserving the public health and provide for all those who own, use or occupy dwellings, commercial buildings or other structures therein. In enacting this law, the General Assembly exercises its general police powers having found that such exercise was necessary for the maintenance and preservation of the health of the inhabitants of the State. Nothing herein contained shall be construed to be in derogation of the powers of the State Board of Health.

SECTION 2. Definitions.—For all purposes of this act:

(a) The term "district" shall mean any special purpose or public service district now existing or hereafter created by an act of the General Assembly now or from time to time exercising the power to construct and operate sewer collection, disposal and treatment facilities;

(b) The term "commission" shall mean the governing agency of any district as now or hereafter constituted;

(c) The term "water distribution agency" shall mean any public or private agency operating a water distribution system within any district or any portion thereof;

(d) The term "sewage" shall mean domestic or industrial waste requiring collection, disposal and treatment;

(e) The term "sewer service charge" shall mean the monthly, quarterly or annual charge imposed by any district for the collection, treatment and disposal of sewage irrespective of whether the same shall be collected by a water distribution agency or whether it shall be assessed against the property served as provided by Section 3 of this act;

(f) The term "sewer connection charge" shall mean the charge imposed upon property owners as a condition to authorizing them to connect to and discharge sewage into any public sewer system; and

(g) The term "front foot assessment" shall mean the assessment levied to reimburse a district for that portion of the cost of installing sewer laterals (collection lines) imposed by the commission on a front foot basis

SECTION 3. Powers.—Each commission shall be empowered as follows:

(1) To place into effect and revise whenever it so wishes or may be required a schedule of sewer service and sewer connection charges for the use of and connection to any sewage disposal system which it may operate. Prior to the making of any sewer connection or the furnishing of any sewage disposal service for which the prescribed sewer service charge shall, pursuant to Section 4 of this act, become a lien on the property affected and prior to any subsequent increase in any such sewer service charge, not less than ten days' written notice shall be given to each affected property owner notifying him of the nature and quantum of the sewer service charge and providing such property owner an opportunity if desired and requested, to appear and be heard in person or by counsel before the commission. Following such hearing, if such be requested and held, action shall be taken by the commission and notice of its decision shall be given to the property owner concerned or to his counsel, as the case may be, not less than ten days prior to the effective date of the sewer service charge. Any property owner aggrieved by the action of the commission may, under the provisions of Chapter 4, Title 7, Code of Laws of South Carolina, 1962, appeal to the court of common pleas for the county in which the property affected or any part thereof lies to have such court review the action taken by the commission, at which time the court will determine the validity and reasonableness of the sewer service charge so made. Sewer service charges not intended to become liens in the case of nonpayment can be imposed and subsequently increased upon any user in the district without such notice and hearing.

(2) To enter into contracts with any water distribution agency upon terms and conditions to be mutually agreed upon by which the commission shall constitute the water collection agency the agent of the commission, for the purpose of collecting such sewer service charges as the commission shall from time to time impose upon those who utilize its sewage disposal facilities and shall empower the water

collection agency as such agent to disconnect water service upon failure of any user to pay such sewer service charges.

(3) To prescribe and enforce regulations (a) requiring all persons to whom it shall be available to make use of any sewer system which the district shall from time to time operate; and (b) generally with respect to the discharge of sewage and the use of privies, septic tanks and any other type of sewage facilities within the district. Any such regulations shall, however, become effective only after they have been adopted by resolution of the commission, a certified copy thereof has been recorded in the office of the register of mesne conveyances or, if none, in the office of the clerk of court of common pleas for each county in which such sewer system lies, a copy posted in the courthouse of each such county, and notice of the adoption of such resolution has been published at least once a week for three successive weeks in a newspaper having general circulation in the district. The published notice shall specify in brief the scope of the regulations and shall state the date on which the same shall become effective. Prior to the adoption of the aforesaid resolution, the commission shall give public notice of a meeting to be held to consider its adoption and the notice shall appear in a newspaper having general circulation in the district at least once not less than seven days prior to the occasion fixed for the holding of such meeting. Any person affected may attend such meeting and express his views on the proposed regulations. The provisions of this paragraph prescribing conditions upon the effectiveness of the regulations specified above in this paragraph shall not be deemed to impose mandatory conditions upon the exercise of any other power or the adoption of any other type of regulation authorized by this act or otherwise.

(4) To provide by resolution that the actual cost of the establishment and construction of any sewer lateral collection lines hereafter constructed by the commission and any extensions thereof within the district, or so much of the actual cost thereof as the commission in its discretion deems appropriate, shall be assessed subject to the provisions of the next paragraph upon the lots and parcels of land abutting directly on such lateral lines or extensions thereof according to the extent of the respective frontage thereon, by an equal rate per foot of such frontage; but the commission may, in its discretion, provide, in the instance of corner lots, for an assessment deemed to be equitable. The commission may provide in such resolution that the front foot assessments to be levied in connection with such installations

may be paid in equal installments covering a period of not exceeding ten years. Such deferred payments shall be payable annually within the period that county taxes are payable and late payments shall be penalized to the same extent as in the case of county taxes.

The General Assembly does not intend through this enactment to permit assessments against abutting property where no benefit will result to such property or where any such benefit would result only at some remote future time. Accordingly, no commission shall pursuant to this act impose any front foot assessment against any property unless the property is being used for or is devoted to commercial or residential purposes at the time of the assessment or unless, in the case of properties on which no buildings shall be situate, such properties shall have been platted or otherwise developed as a part of a subdivision devoted to residential or commercial purposes; if any such property, which pursuant to the provisions of this paragraph is exempt from front foot assessment at the time the assessment is originally levied, is later converted to commercial or residential purposes or is later platted or otherwise developed then at such time front foot assessments may be levied against such property. No individual parcel shall be assessed on the basis of more than two hundred fifty feet of frontage.

In connection with the imposition of such front foot assessments:

(a) The resolution providing for such front foot assessments shall designate by a general description the improvement to be made and the street or parts thereof whereon the work is to be effected and the actual cost thereof and the amount of the cost to be assessed upon all abutting property subject to the provisions of the preceding paragraph and the terms and manner of payment. Such resolution shall not become effective until at least seven days after it shall have been published in a newspaper of general circulation in the district. Such resolution may incorporate by reference plats and engineering reports and other data on file in the commission's office provided that the place of filing and reasonable hours for inspection by interested persons are specified in the resolution.

(b) Upon the completion of the construction of any such sewer laterals or any extensions thereof the commission shall compute and ascertain the total cost thereof and shall thereupon make an assessment of such total cost or so much thereof as it deems appropriate. For that purpose the commission shall make out an assessment roll in which must be entered the names of the persons assessed and the

amount assessed against their respective properties with a brief description of the lots or parcels of land assessed.

(c) Immediately after such assessment roll has been completed, the commission shall forthwith cause one copy thereof to be deposited in the commission's office for inspection by interested parties, and shall cause to be published at least once in a newspaper of general circulation within the district a notice of completion of the assessment roll setting forth a description in general terms of the improvements and the time fixed for the meeting of the commission for a hearing of objections in respect of the front foot assessments; such meeting not to be earlier than ten days from the date of the publication of such notice.

(d) As soon as practicable after the completion of the assessment roll and prior to the publication of the notice abovementioned in subparagraph (c) the commission shall mail to the owner or owners of each lot or parcel of land against which a front foot assessment is to be levied at his or their address, if any, appearing on the records of the county treasurer, a notice stating the nature of the improvement, the total cost thereof, the amount to be assessed against the particular property and the frontage in feet upon which the front foot assessment is based, together with the terms and conditions upon which the front foot assessment may be paid. This notice shall also contain a brief description of the particular property involved together with a statement that the amount assessed shall constitute a lien against the property superior to all other liens except property taxes. The notice shall also state the time and place fixed for the meeting of the commission abovementioned for a hearing of objections in respect of the front foot assessments. Any property owner who fails, not later than three days prior to the date set for such meeting, to file with the commission a written objection to the front foot assessments against his property shall be deemed to have waived all rights to object to such front foot assessment; and the notice prescribed herein shall so state.

(e) At the time and place specified for the meeting abovementioned, or at some other time to which it may adjourn, the commission shall hear the objections of all persons who have filed written notice of objection within the time prescribed above who may appear and make proof in relation thereto either in person or by their attorney. The commission may thereupon make such corrections in the assessment roll as it may deem proper, confirm the same, set it aside and

provide for a new assessment. Whenever the commission shall confirm an assessment roll, either as originally prepared or as thereafter corrected, a copy thereof certified by the secretary of the commission shall forthwith be filed in the office of the clerk of court of common pleas of each county in which any property lies, and against which any front foot assessments have been levied; from the time of such filing the front foot assessments impressed in the assessment roll shall constitute and be a lien on the real property against which the same are assessed superior to all other liens and encumbrances except only the lien for property taxes.

(f) After the assessment roll has been confirmed a certified copy thereof shall be delivered to the treasurer of each county in which any front foot assessments are levied thereby who shall prepare and keep a separate book or books in connection therewith and who shall proceed to collect the same in the manner of county taxes and shall remit such collections on or before April fifteenth of each year upon the direction of the commission. Each year the county treasurer shall mail out notices of such front foot assessments at the same time county tax notices are mailed. Past due front foot assessments shall be turned over by the respective county treasurers to the county sheriff or delinquent tax collector who shall proceed to collect in the same manner as unpaid county taxes are collected. The collecting official shall likewise keep separate records in connection with such past due assessments and shall remit all sums collected forthwith upon the direction of the commission.

(g) Immediately upon the confirmation of an assessment the commission shall mail a written notice to all persons who have filed written objections as hereinabove provided of the amount of the front foot assessment finally confirmed against his property. If any such person is dissatisfied with the amount of the front foot assessment so confirmed and shall within ten days after the mailing of the notice confirming the assessment to him may give written notice to the commission of his intent to appeal his front foot assessment to the court of common pleas for the county in which his property is assessed, or any part thereof, is located, and shall within five days after giving such notice to the commission serve upon the commission a statement of facts upon which he bases his appeal; but no such appeal shall delay or stop the construction of the improvements or affect the validity of the front foot assessments confirmed and not appealed. The appeal shall be tried at the next term of court as other actions at law with priority over all other cases.

(h) The commission may correct, cancel or remit any such front foot assessment and may remit, cancel or adjust the interest or penalties of any front foot assessment and is empowered, when in its judgment there is any irregularity, omission, error or lack of jurisdiction in any of the proceedings relating thereto, to set aside the whole of any assessment made by it and thereupon to make a reassessment.

(i) In the event the commission provides that such front foot assessments may be paid in equal annual installments, then in that event the front foot assessment shall be deemed to be due and payable in the equal annual installments prescribed by the commission and shall bear interest at the rate of four per cent per annum from the date of the confirmation of the assessment roll, payable with such annual installment. Any property owner shall have the right at any time in his option to prepay in full the front foot assessment against his property by the payment of the balance due plus interest calculated to the date of prepayment. If any property owner shall fail or neglect to pay any installment when the same becomes due and payable, then and in that event the commission may, at its option, declare all of the installments remaining unpaid at once due and payable and such property shall be sold by the county sheriff in the same manner and with the same right of redemption as are prescribed by law for the sale of land for unpaid property taxes.

(j) All monies realized from front foot assessments shall be kept in a separate and distinct fund either on deposit with the county treasurer or, in the discretion of the commission, in a bank located within the county in which the district is located and used first to defray the cost to the extent prescribed by the commission in the resolution providing for such front foot assessments of the establishment and construction of the sewage lateral collection lines in connection with which the front foot assessments were levied, or second to provide debt service on bonds issued by the district to defray the costs of such construction; and for no other purpose. In the event a district issues bond and uses only a portion of the proceeds thereof to defray all or a part of the cost of constructing sewer lateral collection lines, monies derived from the front foot assessments shall be used to provide debt service to the extent prescribed in the resolutions providing for the imposition of the front foot assessments and authorizing the issuance of the bonds. Nothing contained in this act shall be construed to authorize any borrowing by a district.

(k) Monies received by the commission from front foot assessments and deposited by it as prescribed in the foregoing paragraph may to the extent practicable be invested in the discretion of the commission in obligations of the United States of America, obligations of any agency of the United States of America or obligations guaranteed by any agency of the United States of America, maturing in such fashion as to provide cash monies for the principal and interest payments of bonds payable therefrom when due. All income derived from any such investment shall be applied to the same purpose to which the invested funds are applicable.

(l) In the event monies derived from the front foot assessments are held by the county treasurer such funds shall be secured in the same manner as county funds. In the event such funds are deposited in a bank, the amount of such deposits in excess of the amount insured by the Federal Deposit Insurance Corporation shall be secured by direct obligations of the United States or by obligations of an agency of the United States or by obligations guaranteed by an agency of the United States. Nothing herein shall be construed to prohibit the commission from requiring such additional security as it may deem appropriate.

SECTION 4. When unpaid charges to constitute lien—enforcement of.—If the notice or notices prescribed by paragraph (1) of Section 3 of this act shall have been given and any hearing requested pursuant thereto shall have been held, all sewer service charges imposed by the commission following that procedure under authority of this act and not paid when due and payable shall be and constitute a lien upon the real estate to which the sewage service concerned relates so long as the sewer service charges remain unpaid. In addition to such other rights and remedies as may be available to the commission in law or in equity for the collection of the sewer service charges, the lien may be enforced by the commission in the same manner and fashion as the lien of property taxes on real estate. The lien herein provided shall be superior to all other liens except liens for unpaid property taxes.

The method provided in this act for the enforcement of the collection of past due sewer service charges shall not be the exclusive method of enforcing such collections and the commission is fully empowered to enforce the collection of any such sewer service charges in any other lawful manner in all or any part of the district, including particularly by way of a contract with a water distribution agency as authorized under paragraph (2) of Section 3.

SECTION 5. Enforcement of regulations.—Paragraph (3) of Section 3 of this act authorizes any commission in the interest of the health of the district to adopt regulations requiring the use of its sewer system and regulations generally with respect to the discharge of sewage and the use of privies, septic tanks and any other type of sewage facilities. Any commission is expressly authorized to apply to any court of general jurisdiction for the enforcement of any such regulations within the district governed by it through the means of mandatory injunction or other remedial process; *provided* such regulation has been duly adopted in the fashion prescribed by paragraph (3) of Section 3 of this act.

SECTION 6. To supersede other acts.—The powers conferred herein shall hereafter be exercised by all commissions in the manner and to the extent hereinbefore set forth, and, to that end, the provisions of this act shall supersede the analogous provisions of all special acts empowering commissions to exercise any of the powers hereinbefore conferred.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R582, H1724)

No. 398

An Act To Provide That Certain Payments Made Under The Economic Opportunity Act Of 1964 To Recipients Of Public Assistance Will Not Be Considered By The State Department Of Public Welfare In Determining The Recipient's Income.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Determination of income.—In compliance with Title 7 of Public Law 88-452, the Economic Opportunity Act of 1964, the State Department of Public Welfare will disregard the first eighty-five dollars plus one-half of the excess over eighty-five dollars of payments made to or on behalf of any person for or with respect to any month under Title I or II of the Economic Opportunity Act of 1964 or any program assisted under such title shall not be regarded as income or resources of such person in determining his need for old age assistance, aid to the needy blind, aid to dependent children and

aid to the permanently and totally disabled; or as income or resources of any other person in determining his need under any such State program.

SECTION 2. Certain payments not to be regarded as income.—No payments made to or on behalf of any person for or with respect to any month under any such title shall be regarded as income or resources of any other person in determining the need of such other person under such approved State program except to the extent made available to or for the benefit of such other person.

SECTION 3. Certain grants not to be regarded as income.—No grant made to any family under Title III of the Economic Opportunity Act of 1964 shall be regarded as income or resources of such family in determining the need of any member thereof under such approved State program.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R584, H1765) **No. 399**

An Act To Amend Section 32-1856, Code Of Laws Of South Carolina, 1962, Relating To The Dumping Or Burning Of Trash In Chester County, So As To Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 32-1856 amended—dumping or burning of trash in Chester County.—Section 32-1856, Code of Laws of South Carolina, 1962, is amended by adding the following at the end thereof: "The provisions of this section shall not apply to sanitary fills when such fills are approved in writing by the county board of health." The section when amended shall read as follows:

"Section 32-1856. In order to protect the sanitation, health and well-being of the people of the county, no trash or other refuse shall be dumped or burned or any other nuisance maintained in the immediate vicinity of any unincorporated town or within three miles of the corporate limits of any municipality in Chester County or any other locality of the county which endangers the sanitation, health,

happiness and well-being of the people affected. Section 32-1855 and this section shall apply to any municipality maintaining a trash or dump yard in violation of the provisions of Section 32-1855 and this section. The provisions of this section shall not apply to sanitary fills when such fills are approved in writing by the county board of health."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R585, H1768) **No. 400**

An Act To Exempt The Property Of The Upper Richland And St. Andrews Recreation Associations In Richland County From County Taxes.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Certain property in Richland County exempt from taxes.—All property owned by the Upper Richland Recreation Association in Richland County shall be exempt from all county taxes so long as such property is used as a community recreation facility.

SECTION 2. Further.—All property owned by the St. Andrews Recreation Association in Richland County shall be exempt from all county taxes.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R586, H1789) **No. 401**

An Act To Amend Section 14-3231, Code Of Laws Of South Carolina, 1962, Relating To Audits In Richland County, So As To Delete The Exception Made For The Columbia Hospital.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 14-3231 amended—annual audits.—Section 14-3231, Code of Laws of South Carolina, 1962, is amended by

changing the comma on line four to a period and by striking the remainder of the section. The section when amended shall read as follows:

"Section 14-3231. The books of the county shall be audited annually at the end of each fiscal year by a certified public accountant licensed to do business in this State, such audit to cover the records of all county officials and the various county agencies."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R588, H1733) **No. 402**

An Act To Exempt Property Of Fort Jackson Masonic Lodge No. 374, AFM, In Columbia, From All Taxes.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Certain property in Richland County exempt from taxes.—The property of Fort Jackson Masonic Lodge No. 374, AFM, on the northern side of Jackson Boulevard at the intersection of Oxford Road (east) in the City of Columbia; measuring 272 feet on Jackson Boulevard; on Oxford Road 313.6 feet; and bounded on the west by lands of Bostick 155.7 feet, shall be exempt from all county, municipal and special taxes as long as used for this purpose.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R590, H1752) **No. 403**

An Act To Amend Section 42-309.2, Code Of Laws Of South Carolina, 1962, Relating To A Tax Levy In Anderson County For The Anderson County Library Board, So As To Increase The Amount Of The Levy.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 42-309.2 amended—tax levy for Anderson County Library.—Section 42-309.2, Code of Laws of South Carolina, 1962, is amended by striking out on line two the words "one and one-half" and inserting in lieu thereof the word "two". When so amended the section shall read as follows:

"Section 42-309.2. The auditor of Anderson County shall levy a tax of two mills upon the taxable property in the county and the treasurer shall collect such tax. The proceeds of the tax shall be made available to the library board which shall be established pursuant to the terms of this article."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R592, H1779)

No. 404

An Act To Amend Section 27-89, Code Of Laws Of South Carolina 1962, Relating To The Clerk Of Court Fees In Newberry County, So As To Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 27-89 amended—clerk of court fees for Newberry County.—Section 27-89 of the Code of 1962 is amended by striking it and inserting in lieu thereof the following:

"Section 27-89. The fees and commissions of the Clerk of Court of Newberry County shall be as set forth in this section, except that if the fee for any service is not set forth in this section, then such fee shall be as provided by general law:

(1) Recording real estate deed, including Auditor's fee, and cemetery deeds	$ 2.50
(2) Recording real estate mortgage	2.50
(3) Recording tracts, dowers, probates or preambles (deeds & mortgages) each	.25
(4) Recording release of lien on mortgage or deed	.50
(5) Recording release of lien not on original	1.00
(6) Recording assignment on real estate mortgage	.50
(7) Recording assignment not on original real estate mortgage	1.00

(8)	Entering satisfaction of real estate mortgage	.50
(9)	Recording bill of sale with copy	1.50
(10)	Recording bill of sale without copy	2.50
(11)	Recording plat with copy (per page)	1.50
(12)	Recording plat without copy (per page)	2.00
(13)	Recording power of attorney (plus 50¢ State stamps)	1.50
(14)	Recording charter or amendment to charter	2.00
(15)	Recording lease with copy	1.50
(16)	Recording lease without copy	2.50
(17)	Recording right of way or easement	2.50
(18)	Recording chattel mortgage with copy	1.00
(19)	Recording chattel mortgage without copy	1.50
(20)	Recording assignment of chattel on original mortgage	.50
(21)	Recording assignment of chattel not on original	1.00
(22)	Entering satisfaction of chattel	.25
(23)	Recording assignment of accounts	1.50
(24)	Filing tax liens, State or Federal	1.50
(25)	Filing magistrate's transcript of judgment	2.50
(26)	Filing transcript of judgment, Clerk of Court	5.00
(27)	Registering notary	1.50
(28)	Registering nurse, physician, embalmer, etc.	1.50
(29)	Filing default judgment	7.50
(30)	Filing civil action (change of name, foreclosure, divorce, adoption and all cases in common pleas court)	*12.50
	*(This shall constitute the entire cost, including appointment of guardian ad litem, order of reference and certified copies provided they are prepared by the attorney. No part of the filing fee shall be returned for any reason.)	
(31)	Receiving and paying out money officially—2% under $300.00 and 1% over $300.00.	
(32)	Filing lis pendens from probate and other courts	1.50
(33)	Filing mechanic's liens	1.50
(34)	Filing unusual papers—to be set by Clerk of Court	

SECTION 2. Time effective.—This act shall take effect July 1, 1965.

Approved the 8th day of June, 1965.

(R595, H1812)

No. 405

An Act To Create A Recreation Commission For Abbeville County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Recreation Commission of Abbeville County created.—There is hereby created the Recreation Commission of Abbeville County which shall be composed of nine members to be appointed by the Governor upon the recommendation of the Abbeville County Legislative Delegation. The terms of the members shall be for four years and until their successors are appointed and qualify, except that of those first appointed four shall serve for terms of two years, and five shall serve for terms of four years. Vacancies shall be filled in the manner of the original appointment for the unexpired portion of the term only. The members shall serve without remuneration or financial benefit of any kind.

SECTION 2. Officers—meetings—rules and regulations.—The commission shall appoint from its membership a chairman and such other officers as it may deem necessary for the orderly conduct of its business, and may adopt such rules and regulations as it deems necessary to carry out the provisions of this act. The commission shall hold regular meetings at such times and places as it may designate, *provided,* that at least two public meetings shall be held each year.

SECTION 3. Powers and duties.—The commission may provide, maintain, operate and supervise public parks and playgrounds, athletic fields, recreation centers, and all other recreational or cultural facilities or activities owned or controlled by the county or leased or loaned to the commission. The commission may create policies for, have authority over and administer a coordinated recreation service, and may cooperate with similar local, State or Federal authorities.

SECTION 4. May accept property.—Abbeville County, by and through the Recreation Commission, may accept real or personal property for recreational purposes; *provided,* that no such property may be accepted subject to any condition without written approval of the county governing board.

SECTION 5. Director and personnel.—The Recreation Commission may employ a director of recreation and such other trained persons as it deems necessary, and in keeping with available funds.

SECTION 6. Funds.—Funds appropriated for use by the Recreation Commission shall be disbursed by the Abbeville County Governing Board upon vouchers issued in conformance with the procedure approved by the governing board. Nonappropriated funds received by the commission shall be deposited in the general fund of the county for disbursement by the commission in the manner provided for appropriated funds.

SECTION 7. Report and fiscal year.—The Recreation Commission shall make a written annual report, including a statement of receipts and disbursements, to the county governing board within thirty days after the end of each fiscal year. The fiscal year of the commission shall conform to that of the county and its affairs shall be audited annually by a designated public accountant.

SECTION 8. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R596, H1813)

No. 406

An Act To Create The Abbeville County Economic Opportunity Commission And To Prescribe Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Abbeville County Economic Opportunity Commission created.—There is hereby created the Abbeville County Economic Opportunity Commission.

SECTION 2. To be corporate body.—The commission is hereby declared to be a body politic and corporate and shall exercise and enjoy all the rights and privileges of such.

SECTION 3. Members and compensation.—The commission shall be composed of nine to fifteen members who shall be appointed by the Governor upon the recommendation of the legislative delegation. The members of the commission shall serve without compensation.

SECTION 4. Terms and vacancies.—The terms of office of the members of the commission shall be for two years or until their successors are appointed and qualify. In the event of a vacancy in

the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor. Of the initial appointees, three shall serve for one year.

SECTION 5. Officers.—Immediately upon the appointment of the commission, it shall organize by electing one of its members as chairman, a second as vice chairman and a third as secretary and treasurer. The commission shall file a record of its members in the office of the Clerk of Court for Abbeville County and the County Governing Board.

SECTION 6. Powers and duties.—The commission shall be responsible for the improvement of communication and cooperation among existing and future programs and the administration of one or more new programs designed to improve the health, education, welfare, housing or employment of the residents of Abbeville County. To this end the commission shall be empowered as follows:

(a) To sue and be sued;

(b) To adopt, use and alter a corporate seal;

(c) To make bylaws for the management and regulation of its affairs;

(d) To appoint agents, employees and servants, to prescribe their duties, to fix their compensation, to determine if and to what extent they shall be bonded for the faithful performance of their duties;

(e) To undertake the improvement of communication and cooperation among existing and future programs administered by federal, state, county and municipal governmental agencies and private nonprofit organizations designed to improve the health, education, welfare, housing or employment of the county residents and, with the consent of such agencies and organizations, to coordinate same;

(f) To enter into contracts and agreements for performance of its programs and duties with federal, state, county and municipal governmental agencies and subdivisions thereof, and private nonprofit organizations;

(g) To accept and receive funds for the performance of its duties in the administration of its programs from such governmental agencies and subdivisions thereof and private nonprofit organizations, as well as any other sources;

(h) To designate an executive committee from among the members of the commission to which may be delegated one or more

duties and responsibilities of the commission and, from time to time, to appoint one or more subcommittees composed of residents of Abbeville County to advise and assist in the administration of its program and the performance of its duties;

(i) To maintain adequate accounts and records of its activities, receipts and expenses in conformance with requirements of any contract or agreement with any federal, state, county or municipal governmental agency, or subdivision thereof; or any private non-profit organization; and

(j) To acquire, own or hold in trust, preserve, restore, maintain or lease property, facilities and equipment reasonably necessary for the performance of its duties and the administration of its programs.

SECTION 7. Exempt from taxes.—All property of the commission shall be exempt from all ad valorem taxes levied by Abbeville County or any municipality therein, or any division, subdivision or agency thereof, directly or indirectly.

SECTION 8. Fiscal year and audit.—The commission shall conduct its affairs on the fiscal year basis employed by Abbeville County. As shortly after the close of its fiscal year as may be practicable, an audit of its affairs shall be made by a public accountant in good standing, to be designated by the county governing board. Copies of such audit, incorporated into an annual report of the commission, shall be filed with the Abbeville County Governing Board.

SECTION 9. Contracts not to be impaired.—The right to alter, amend or rescind this act is hereby expressly reserved and disclosed, but no such amendment or repeal shall operate to impair the operation of any contract otherwise made by the authority pursuant to any power conferred by this act.

SECTION 10. When action may be taken.—Any action required of the commission may be taken at any regular or special meeting, and at such meeting a majority of the members shall constitute a quorum.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R598, H1815)

No. 407

An Act To Provide For The Issuance Of Construction Permits And Licenses For Mobile Homes And House Trailers In Abbeville County; To Prohibit Electric Companies From Making Certain Electrical Connections; To Provide A Penalty For Violation; To Provide For Further Duties Of The Tax Collector; And To Repeal Act No. 308 Of 1963, Relating To Building Permits In Abbeville County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Construction permits required in Abbeville County.—It shall be unlawful for any person to construct or improve any building at a cost in excess of one thousand dollars in Abbeville County, unless an application has been filed with and a permit granted by the county tax collector, a county magistrate or any other person designated by the county auditor for such construction or improvement.

SECTION 2. Application forms.—The tax collector shall prepare and furnish the magistrate and other designated persons the application forms, which shall show information to be of assistance to him in locating the real estate on which the construction or improvement is to be made and in checking tax returns. This information shall include, but shall not be limited to, the following: (a) name of owner of the real estate; (b) school district; (c) street number or road and rural post office box number; (d) estimated cost of construction or improvement; (e) type of construction or improvement; (f) type of roof; (g) number of stories; (h) number of rooms; and (i) approximate distance from the limits of the nearest municipality.

SECTION 3. Issuance—fee.—The tax collector, magistrate or any other designated person shall issue the permit upon the applicant's paying a fee of one dollar. The fees shall be remitted to the county treasurer for deposit in the general fund of the county by the tenth day of the following month, together with a copy of each permit issued since previous remittance. The permits shall be numbered and be made in quadruplicate; the original shall be posted at the construction site, one copy shall be filed with the county auditor; one copy with the county treasurer; and one copy shall be sent to the appropriate supplier of electric power.

Persons, other than the tax collector, may be paid for their services for issuing the permits an amount to be decided upon by the auditor.

SECTION 4. Licensing of house trailers or mobile homes.—House trailers or mobile homes coming into Abbeville County on or after January second of each year shall secure from the county auditor a license as provided by Act No. 881 of 1962. Thereafter, house trailers or mobile homes shall be returned to the county auditor in the usual manner of making property returns. House trailer or mobile home licenses shall be issued at this time in accordance with Act No. 881 of 1962, except that no further fees shall be paid.

SECTION 5. Penalties.—Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine not exceeding one hundred dollars nor less than ten dollars or imprisonment not exceeding ten nor less than three days. In case of a violation of the provisions of Section 1 of this act, each day that a violation is continued shall constitute a separate offense.

SECTION 6. Electricity not to be furnished without permit.—It shall be unlawful for any utility company or rural electric cooperative to make a new connection of electrical energy to a building, house trailer or mobile home requiring a permit or license under this act unless such permit or license was acquired for the construction or improvement of a building, house trailer or mobile home.

SECTION 7. Duties of tax collector.—The tax collector shall serve as coordinator and liaison with and between the auditor, treasurer and other officials having to do with returning, assessment, equalization and collection of taxes within Abbeville County.

SECTION 8. Act 308 of 1963 repealed.—Act No. 308 of 1963 is repealed.

SECTION 9. Time effective.—This act shall take effect July 1, 1965.

Approved the 8th day of June, 1965.

(R600, H1837)

No. 408

An Act To Amend Section 47-1579.4 Code Of Laws Of South Carolina, 1962, Relating To Municipal Elections For The City Of Florence, So As To Change The Closing Time Of The Polls.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 47-1579.4 amended—municipal elections for City of Florence—conduct of.—Section 47-1579.4, Code of Laws of South Carolina, 1962, is amended by striking "eight" on line three, and inserting in lieu thereof "seven". The section when amended shall read as follows:

"Section 47-1579.4. The managers of election shall keep the polls open from eight in the morning until seven in the evening, and upon the closing of the polls shall immediately proceed to count publicly the votes cast and shall continue such count until it is completed. They shall make a statement of the whole number of votes cast in such election, together with the number of votes cast for each person voted for mayor and for councilman, or for or against a proposition submitted. Upon the completion of the count they shall transmit such statement to the board of commissioners of election for the city, through the chairman of the board or other members designated to receive such election returns, and shall, at the same time, deliver the ballot box with the ballots which had been cast at said election, sealed up therein. And the board of commissioners of election shall immediately upon the receipt of such statement or report of the managers open and publish it and tabulate all the returns, and in case of a very close election or a seeming probability of error or for other cause, in the discretion of the board, shall recount the ballots. On the second day succeeding the election the board shall declare the result and shall file a certified statement of the result of the balloting by precincts and in aggregate with the city clerk and also with the clerk of court for the county. The board of commissioners of election shall, as judicial officers, decide all protests or contests that may arise, and, if necessary, may adjourn from day to day and withhold the decision and the declaration of the result of the election for a period not exceeding five days from the second day after the election. No merely technical irregularities in any of the details prescribed in this article shall be held to vitiate an election if it appears that the will of the registered electors was ascertained."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R602, H1818) **No. 409**

An Act To Amend Section 14-3234, Code Of Laws Of South Carolina, 1962, Relating To Copies Of The Richland County Audit, So As To Further Provide For The Distribution Of Copies.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 14-3234 amended—Richland County audit—distribution of.—Section 14-3234, Code of Laws of South Carolina, 1962, is amended to read as follows:

"Section 14-3234. Two copies of the audit shall be furnished the office of the county legislative delegation and one copy shall be furnished to each of the following: the grand jury, county treasurer, county supervisor and the county board of administrators. One copy shall be filed in the office of the clerk of court which shall be deemed a public record and made available to the public as are other public records."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R603, H1819) **No. 410**

An Act To Amend Section 27-207, Code Of Laws Of South Carolina, 1962, Relating To Master In Equity And Standing Master's Fees And Commissions For Richland County, So As To Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 27-207 amended—master's fees for Richland County.—Section 27-207 of the 1962 Code is amended to read as follows:

"Section 27-207. The fees and commissions of the Master in Equity and of the Standing Master for Richland County shall be as set forth in this section, except that if the fee for any service is not set forth in this section, then such fee shall be as provided by general law, (a) for every day or part of a day spent in the business of a reference or hearing, ten dollars; (b) for making and filing each report in a case, ten dollars for the original and three dollars for each copy; (c) for commissions on moneys passing through his hands by sale or otherwise, one per cent; (d) for each order of appointment issued or made by him, three dollars; (e) for taking, transcribing, and filing any bond, five dollars; (f) for examining and auditing any account, five dollars; (g) for every deed prepared or executed by him, ten dollars; (h) for every mortgage prepared or executed by him, fifteen dollars."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R604, H1820)

No. 411

An Act To Amend Section 27-316, Code Of Laws Of South Carolina, 1962, Relating To Judge Of Probate's Fees For Richland County, So As To Further Provide Therefor And To Repeal Section 27-318, Code Of Laws Of South Carolina, 1962, And Act No. 213 Of The Acts Of 1962, Relating To Waiver Of Probate Costs And Judge Of Probate's Fees In Richland County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 27-316 amended—Judge of Probate fees for Richland County.—Section 27-316 of the 1962 Code is amended to read as follows:

"Section 27-316. The fees of the Judge of Probate of Richland County shall be as set forth in this section, and if the fee for any service is not set forth in this section, then such fee shall be the same as that provided by law for the other county officers of Richland County performing the same services or, if there be no such provision for any officer of such county, as prescribed by general law, (a) for an intestate or testate administration, thirty-five dol-

lars. If the estate does not exceed one thousand dollars, the fee shall be one-half this amount. This fee shall include the following where applicable: advertising; petition and copy of petition; filing bond; letters of administration or testamentary; inventory and appraisement and copy; description of real estate; filing and recording will and copy of same; filing petition for discharge; two certificates; filing and recording fifth month and final return only; letters dismissory; (b) for granting letters guardianship, fifteen dollars. This fee shall include: petition; filing bond; letters guardianship; (c) for committeeship proceedings, twenty-five dollars. This fee shall include: filing pleadings of both petitioner and respondent in ordinary case; order for examination; hearing, not to exceed one day; order or decree of appointment; filing and recording bond and one certified copy of same; letters committeeship and one certified copy; two certificates; (d) sale of land in aid of assets, twenty-five dollars. This fee shall include: filing of pleadings; hearing, not to exceed one day; decree; (e) proof in solemn form, twenty-five dollars. This fee shall include: filing of pleadings; hearing, not to exceed one day; decree; (f) discharge of fiduciaries, where not provided for otherwise, fifteen dollars. This fee shall include: petition; advertising; final return, not to exceed three pages; letters dismissory; (g) for the furnishing of certificates of appointment, one dollar per certificate; (h) for the filing and recording of any return not included in any of the above fees, five dollars for three pages and fifty cents per page for the excess over three; (i) certification of decree or other document where copy furnished by party, one dollar; (j) recording any paper not otherwise specified, one dollar per page; (k) petition and order, (No formal hearing), five dollars; (1) rule to show cause and attachment, five dollars; (m) notice and certifiying case on appeal, five dollars; (n) proceedings in dower, twenty-five dollars; (o) setting off homestead, ten dollars; (p) entering satisfaction of money decree, two dollars; (q) marriage license, including application, five dollars; (r) certified copy marriage license, one dollar; (s) preparation and furnishing admission papers for the mental institutions, where county physicians make examinations, ten dollars; where examination is made by other than county physicians and at no cost to county, five dollars; *provided,* however that upon a showing that an applicant is not financially able to pay this fee, then he may make an affidavit to that effect and the judge of probate may in his discretion waive same; and (t) for receiving and paying over

money officially where not otherwise provided for the commissions charged shall be as provided for other county offices."

SECTION 2. Section 27-318 and Act 213 of 1962 repealed.—Section 27-318 of the 1962 Code and Act No. 213 of 1962 are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R605, H1821) **No. 412**

An Act To Amend Section 27-412, Code Of Laws Of South Carolina, 1962, Relating To Sheriff's Fees For Richland County, So As To Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 27-412 amended—sheriff's fees for Richland County.—Section 27-412 of the 1962 Code is amended to read as follows:

"Section 27-412. The fees of the Sheriff of Richland County shall be as set forth in this section, except that if the fee for any service is not set forth in this section, then such fee shall be the same as that provided for such service by general law, (a) for the service of any civil process, not otherwise herein specified, five dollars for the first service, and three dollars for each additional service; (b) for claim and delivery, attachments, writs of assistance and orders of seizure, fifteen dollars; (c) for distress warrants and mechanics' liens, citations and decrees, five dollars for the first service, and three dollars for each additional service; (d) for serving a subpoena writ, three dollars for the first ticket and one dollar for each additional ticket; (e) for the sale of any property, five dollars; (f) for levying and execution, entering the same, and issuing a return, five dollars plus one per cent on all sums paid to a plaintiff, his agent or attorney.

Nothing in this section shall be deemed to apply to criminal processes or cases."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R607, H1863)

No. 413

An Act To Amend An Act Of 1965 Bearing Ratification No. 76, Relating To The Newberry County Economic Opportunity Commission, So As To Increase The Membership.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Act 56 of 1965 amended—members and compensation.—Section 3 of an act of 1965 bearing Ratification No. 76 is amended by striking on line one the word "eleven" and inserting "twelve". When so amended, the section shall read as follows:

"Section 3. The commission shall be composed of twelve members who shall be appointed by the Governor upon the recommendation of the legislative delegation. The members of the commission shall serve without compensation."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R608, H1866)

No. 414

An Act To Amend Section 32-823, Code Of Laws Of South Carolina, 1962, Relating To A Levy Of Taxes For The Greenville County Tuberculosis Hospital, So As To Reduce The Levy By One-Quarter Mill; And To Amend Act 537 Of 1963, As Amended, Relating To The Greenville County Museum Commission, So As To Provide A One-Quarter Mill Tax Levy Therefor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 32-823 amended—tax levy for Greenville County Tuberculosis Hospital.—Section 32-823, Code of Laws of South Carolina, 1962, is amended by striking beginning on line two the words "three-quarter" and inserting the words "one-half". The section when amended shall read as follows:

"Section 32-823. The auditor of Greenville County shall levy annually upon all the taxable property within the limits of the county an additional one and one-half mills, to be collected by the same officers and in the same manner as other State, county and school

taxes are now collected, the proceeds arising from such levy to be used for the maintenance of the Greenville County Tuberculosis Hospital and to be dispensed by the board of trustees of said hospital for the maintenance thereof in accordance with the terms of this chapter."

SECTION 2. Section 1 of Act 537 of 1963 amended—Section 2A added—tax levy for museum.—Section 1 of Act 537 of 1963, as amended, is further amended by adding after Section 2 a new section to read as follows:

"Section 2A. The auditor of Greenville County shall levy annually and the treasurer shall collect upon all the taxable property within the county one-quarter of a mill to be used by the Greenville County Museum Commission to carry out the purposes of this act."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R611, H1869)

No. 415

An Act To Amend An Act Of 1965 Bearing Ratification No. 102, Relating To The Bamberg County Economic Opportunity Commission, So As To Increase The Membership.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 3 of Act 71 of 1965 amended—members and compensation.—Section 3 of an act of 1965 bearing Ratification No. 102 is amended by striking on line one the word "eleven" and inserting "fourteen". When so amended, the section shall read as follows:

"Section 3. The commission shall be composed of fourteen members who shall be appointed by the Governor upon the recommendation of the legislative delegation. The members of the commission shall serve without compensation."

SECTION 2. Section 4 of Act 71 of 1965 amended—terms and vacancies.—Section 4 of an act of 1965 bearing Ratification No. 102 is amended by striking the word "five" on line six and inserting "seven". When so amended, the section shall read as follows:

"Section 4. The terms of office of the members of the commission shall be for two years or until their successors are appointed and

qualify. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor. Of the initial appointees, seven shall serve for one year."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R612, H1885)

No. 416

An Act To Authorize Newberry County To Sell Certain Property.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Newberry County may sell property.—All real property now owned or hereafter acquired by Newberry County may be sold by the county board of commissioners, upon the approval of a majority of the county legislative delegation, both as to price and terms. In all such sales the deeds shall be signed by the county supervisor and the members of the board of commissioners.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R613, S424)

No. 417

An Act To Amend An Act Of 1965 Bearing Ratification No. 188, Relating To Cherokee County Economic Opportunity Commission, So As To Increase The Membership Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 3 of Act 134 of 1965 amended—members.—Section 3 of an Act of 1965 bearing Ratification No. 188 is amended by striking it out and inserting in lieu thereof the following:

"Section 3. The commission shall be composed of a minimum of five members who shall be appointed by the Governor upon the

recommendation of the legislative delegation and such additional members shall be appointed in like manner as will provide fair representation to all phases of community and economic life of the county."

SECTION 2. Section 4 of Act 134 of 1965 amended—terms and vacancies.—Section 4 of an Act of 1965 bearing Ratification No. 188 is amended by striking the last sentence. The section when amended shall read as follows:

"Section 4. The terms of office of the members of the commission shall be for two years or until their successors are appointed and qualify. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R614, S423) **No. 418**

An Act To Declare Certain Areas In Horry County As Fishing Sanctuaries; To Prohibit Motor Boating In Such Areas; And To Provide Penalties For Violations.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Certain areas in Horry County to be fishing sanctuaries.—An area of two miles on the Waccamaw River from Wortham's Ferry near the North Carolina line running westward for a distance of two miles; an area from the mouth of Big Bee Tree Lake to the mouth of Timber Lake; an area from the mouth of Simpson Creek to Little Savannah Bluff landing; and an area beginning at the mouth of Simpson Creek and running up such creek for a distance of one-half mile, all of which are in Horry County; are hereby declared to be fishing sanctuaries and no fishing, seining, netting or boats propelled by motors will be allowed in such areas. The South Carolina Wildlife Resources Commission shall erect signs clearly showing that fishing and motor boating are prohibited in such areas and designating the limits of such areas.

SECTION 2. Penalties.—Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction shall be fined not more than one hundred dollars or be imprisoned for not more than thirty days.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R615, S375)

No. 419

An Act To Provide For The Board Of Registration Of Darlington County, To Provide For Deputy Members And To Provide When The Board May Be Open.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Board of Registration for Darlington County—appointment—terms—vacancies.—In Darlington County the Governor shall appoint, in the manner provided in Section 23-51, Code of Laws of South Carolina, 1962, five persons who are qualified electors of Darlington County to be the Board of Registration of Darlington County. The members may be removed as provided in Section 23-51 of the 1962 Code. The present members of the board shall continue to serve until June 1, 1965 and the terms of their successors shall commence on such date. Vacancies shall be filled as provided in Section 23-52 of the 1962 Code.

SECTION 2. Deputy members.—The Board of Registration of Darlington County may appoint deputy members of the board, in such numbers as it may deem necessary, whose terms shall be for such a period of time as deemed advisable by the members of the Board of Registration. The deputy members shall have the same powers and duties as regular members of the board.

SECTION 3. When board to be open.—In addition to the days boards of registration shall remain open as now provided by law, in Darlington County the board shall remain open every day except Sunday through the tenth day of every month and except as provided in Section 23-66, Code of Laws of South Carolina, 1962; *provided,* that during the months of July and August the books may remain open or may be closed at the discretion of the board.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R616, S397) **No. 420**

An Act To Provide For The Approval Of Certain Architects Retained In Conjunction With Work On Public Buildings In Horry County And To Provide A Penalty.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Architects retained by Horry County—approval of.—No architect shall be retained in conjunction with the preparation of any plans or work on public buildings in Horry County where county funds are involved without the approval of a majority of the county legislative delegation, including the Senator.

SECTION 2. Penalties.—Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction shall be fined not more than one hundred dollars nor imprisoned for not more than thirty days.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R618, S416) **No. 421**

An Act To Provide For A Special Investigator For The Fifth Judicial Circuit.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Special investigator may be appointed for Fifth Judicial Circuit.—The Circuit Solicitor for the Fifth Judicial Circuit may appoint a competent resident of the circuit as a Special Investigator for his office. The Special Investigator shall work under the direction of the solicitor as a full-time employee. His appointment shall be for a period not exceeding the term for which the solicitor was

elected. The Special Investigator shall give a bond in the sum of two thousand dollars which shall be in the same form and provide the same conditions as required by law of peace officers. The Special Investigator shall be commissioned by the Governor and shall have all the powers, rights, and duties, within the Fifth Judicial Circuit, as any state constable as provided in Section 53-3, Code of Laws of South Carolina, 1962. The Special Investigator shall receive such salary and expenses as provided for in the annual appropriation acts of Richland and Kershaw Counties.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R619, S426)

No. 422

An Act To Provide For The Terms Of Magistrates In Cherokee County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Terms of magistrates in Cherokee County.—In Cherokee County all magistrates appointed in the year 1965 shall be considered to have commenced their terms on January 1, 1965 and shall hold office until January 1, 1967. Thereafter, all terms of magistrates shall be for two years commencing on January first of each odd calendar year. In filling an unexpired term the appointment shall be for the remainder of such unexpired term.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R621, S411)

No. 423

An Act To Amend Act 140 Of 1963, Relating To Building Permits In Sumter County, So As To Further Provide Therefor, And To Repeal Sections 14-400.1051 And 14-400.1052, Code Of Laws

Of South Carolina, 1962, Relating To The Filing Of Building Information In Sumter County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Act 140 of 1963 amended—Section 2 added—electricity not to be furnished without permit.—Act 140 of 1963 is amended by adding a new section to be Section 2 to read as follows:

"Section 2. It shall be unlawful for any electric utility company, either privately or publicly owned, or rural electric cooperative to make a new connection of electrical energy to a new building or facility requiring a permit under this act unless such a permit was acquired for the construction of the building or facility. Any company or cooperative making such a connection after the permit is obtained shall report to the county auditor on or before the tenth of each month the location of each connection, together with such other information as the auditor may direct."

SECTION 2. Sections 14-400.1051 and 14-400.1052 repealed.—Sections 14-400.1051 and 14-400.1052, Code of Laws of South Carolina, 1962, are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R622, S269) **No. 424**

An Act To Authorize The County Board Of Kershaw County To Provide Sites For The Dumping Of Trash; And To Provide For The Posting Of Such Areas And The Advertisement Of Their Locations.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Kershaw County may provide areas for dumping trash.—The County Board of Kershaw County is authorized by purchase, lease or otherwise, to provide sites in suitable locations throughout the county to be used for the dumping of garbage, trash or other refuse.

SECTION 2. Unlawful to dump trash on highways—signs.—The county board shall, as soon as practicable after the effective date

of this act, erect signs along the highways of the county at suitable locations, warning the public that it is unlawful to dump or leave trash, refuse or garbage on any highway.

SECTION 3. Notice concerning areas.—At least twice each year the county board shall cause to be inserted in a newspaper having a countywide circulation a notice giving the location of such areas as are provided by the county for the dumping of trash, garbage or other refuse, and said notice shall further warn the public that it is unlawful to dump or leave trash, garbage or other refuse on a public highway.

SECTION 4. Cost.—The cost resulting from compliance with the provisions of this act shall be paid from the general fund of Kershaw County.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R623, S362)

No. 425

An Act To Provide For The Bonding Of Sumter County Employees And Officials.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Bonding of Sumter County officials.—Every Sumter County employee or official, except the county treasurer and the tax collector by whatever title known, who is required to be bonded may be covered by one blanket bond. The governing body of the county shall approve the form of such bond.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R625, S421)

No. 426

An Act To Amend An Act Of 1965 Bearing Ratification No. 181, Relating To The Marion County Economic Opportunity Commission So As To Increase The Membership.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 3 of Act 128 of 1965 amended—members.—Section 3 of an act of 1965 bearing Ratification No. 181 is amended by striking on line one the word "twelve" and inserting "fifteen". When so amended, the section shall read as follows:

"Section 3. The commission shall be composed of fifteen members who shall be appointed by the Governor upon the recommendation of the legislative delegation."

SECTION 2. Section 4 of Act 128 of 1965 amended—terms and vacancies.—Section 4 of an act of 1965 bearing Ratification No. 181 is amended by striking the word "six" on line six and inserting "seven". When so amended, the section shall read as follows:

"Section 4. The terms of office of the members of the commission shall be for two years or until their successors are appointed and qualify. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor. Of the initial appointees, seven shall serve for one year."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R626, S425)

No. 427

An Act To Amend Section 14-2404, Code Of Laws Of South Carolina, 1962, Relating To Purchases For Jasper County, So As To Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 14-2404 amended—purchase of supplies—bids.—Section 14-2404 of the Code of 1962 is amended by striking "five dollars" on line two and inserting "fifty dollars and all equip-

ment exceeding a cost of two hundred fifty dollars" so that, when so amended, the section shall read:

"Section 14-2404. All supplies of whatever nature, exceeding a cost of fifty dollars and all equipment exceeding a cost of two hundred fifty dollars, to be purchased for the county, shall be purchased only on competitive bids and after public advertisement for seven days, giving the approximate quantity and number of articles desired. Such advertisement shall be made by posting one copy thereof in the courthouse and another in the post office and by giving written notice to three competitive dealers in the commodity or commodities desired, if there be so many. All bids shall be sealed and delivered by a designated day and hour to the officer requesting the bid and shall be then and there publicly opened and published and the purchases awarded to the lowest bidder. The right shall always be reserved, as a matter of law, to reject any and all bids. But any officer of the county in an emergency may disregard the provisions of this section, provided an affidavit is filed with the clerk of the court stating the facts that constitute the emergency. No claim shall be approved by the county board when the provisions of this section have not been complied with. The provisions of this section shall not apply to purchases from the United States Government."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R628, S422)

No. 428

An Act To Create The Abbeville County Fire Protection Commission And Define Its Powers And Duties; To Authorize The Commission To Levy A Tax; To Prohibit Certain Acts Relating To Fires And Fire Departments And To Provide Penalties For Violations; To Require Additional Duties Of Peace Officers; And To Grant Certain Police Powers To Members Of The Fire Department.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Abbeville County Fire Protection Commission created.—There is hereby created a commission in Abbeville County

to bear the name of Abbeville County Fire Protection Commission. The commission shall be composed of five resident electors to be appointed by the Governor on the recommendation of a majority of the county legislative delegation, including the Senator. Any vacancies that occur on the commission shall be filled in like manner. The term of office of each commissioner shall be for four years and until his successor shall be appointed and qualifies, except of those first appointed two shall be appointed for two years and three shall be appointed for four years. The commissioners shall select a chairman and a secretary from among themselves, and the Treasurer of Abbeville County shall be ex officio the treasurer of the commission. The commissioners shall serve without pay.

SECTION 2. Public meetings—audit.—The commission shall hold public meetings and shall make public the decisions and actions of the commission as soon as practicable. It shall render an annual financial audit to the county legislative delegation and to the county governing board. It shall use the public accountant engaged to audit county funds.

SECTION 3. Powers and duties.—The commission is hereby made a body politic and corporate, a governmental agency of the county, and shall have the following duties and powers:

(1) To develop a comprehensive volunteer fire protection system for the county and operate such system;

(2) To acquire property, both real and personal, by purchase or gift or lease or otherwise and to sell, exchange or otherwise dispose of any property that it may have acquired except property acquired from the county;

(3) To enter into contracts;

(4) To annually recommend, if desired, levying a tax not to exceed two mills in the aggregate on all the taxable property of the county for the development and operation of the fire protection system upon approval of the county governing board and the legislative delegation;

(5) To borrow money in any year needed for its purposes in its name in advance and in anticipation of the collection of taxes so levied for such year, and to pledge such taxes as security for the payment of any and all such notes upon approval of the county governing board and the legislative delegation;

(6) To engage a competent fire marshal and fix his compensation and terms of employment and duties and to engage such other agents and servants as from time to time may be needed;

(7) To adopt rules and regulations for the proper establishment and operation of the system after consultation with the Southeastern Underwriters Association and the South Carolina Insurance Commission, looking towards obtaining a lowering of fire insurance rates for property in the entire county; and

(8) To cooperate with all other fire protection agencies and operations in the county.

SECTION 4. Duties further.—The commission shall investigate the needs of communities in the county for fire-fighting equipment. It shall establish priorities for receipt of the equipment based upon the needs of the communities for fire-fighting equipment. It shall purchase fire-fighting equipment according to the priorities established and upon compliance by the communities with the provisions of this act. The commission shall establish and assign areas of fire-control responsibility throughout the county so as to obtain the maximum fire coverage of the entire county commensurate with the personnel and equipment available.

SECTION 5. Requirements for receiving equipment.—Before a community shall be eligible to receive fire-fighting equipment, it shall:

(1) Convey a lot for the erection of a firehouse to meet the approval of the commission. It shall be approximately seventy-five feet frontage and one hundred feet deep with access to paved roads and an adequate water supply; with deed to contain a reverter clause providing that should the lot cease to be used for fire-fighting purposes, as provided in this act, title shall revert to the donor; and

(2) Construct a firehouse on the lot conveyed under item (1) of this section to meet the approval of the commission which shall be approximately eighteen feet by forty feet, concrete or brick construction, with firm floor, fire resistant roof, sealed overhead, doors, windows and equipped for oil or gas heat; and

(3) Obtain from at least twelve men residing in the community a written agreement to enroll in the next fire-fighting class conducted by the State Department of Education, Civil Defense, or other course to be approved by the commission, and to participate in the volunteer fire department; and

(4) Name one of its members, or other representative of the community, to serve on an advisory board to the commission.

The provisions of this section shall not apply to lots or buildings already provided by communities which now have fire-fighting equipment placed in the respective communities.

SECTION 6. Volunteer units—chief.—In each section or subdivision of the county set up in the fire protection system where the commission may establish a fire station, there shall be a volunteer unit chief and such volunteer unit members and fire fighters as the commission shall determine. Such units shall be known as the fire department of the designated area. It shall be the duty of such unit chief to enforce the rules of the commission in the section and protect and care for the property of the commission there placed. Each unit chief shall be appointed by the fire marshal upon the recommendation of the volunteer firemen of the unit for such term as may be agreed upon by him and the marshal and shall perform such duties as may be set forth in the rules of the commission.

SECTION 7. Service to be free.—All services rendered, including that of personnel used in the fighting or controlling of fires, shall be without cost or charge to the person requesting such service.

SECTION 8. Members to have police powers.—All regularly appointed members of the department are hereby given the necessary special police powers for the purpose of enforcing the provisions of this act.

SECTION 9. Tax levy—claims for indebtedness.—On or about January first of each year, the commission shall determine the amount of money needed for its purposes for the ensuing fiscal year and in consultation with the county governing board and the legislative delegation shall determine whether or not to recommend levying millage as indicated in item (4) of Section 3. If such levy is agreed upon by the commission, the county governing board and the legislative delegation, the auditor shall enter the same upon the tax records of the county, and the tax shall be collected by the county treasurer the same as taxes are collected for other county purposes. Claims of indebtedness against monies raised in this manner and for the purpose of the volunteer fire department shall be honored and satisfied upon requisition to the county governing board by the commission, and upon approval of the county governing board in same manner as in approving claims for ordinary county purposes.

SECTION 10. Certain acts unlawful.—It shall be unlawful for anyone to:

(1) Use any property of the commission for any private purpose;

(2) Enter any place where fire-fighting equipment of the commission is situated or to handle such equipment except with special permission of the commission or some duly authorized agent thereof;

(3) Park any vehicle or otherwise cause any obstruction to be placed within twenty-five feet of the entrance to any fire station or other place where fire apparatus is stored, or within ten feet of any fire hydrant, cistern or filling pond or lake;

(4) Drive any vehicle over fire hose except upon specific orders from the marshal, chief, or other officer in charge where the hose is issued; or

(5) Maliciously turn in or cause to be turned in a false alarm.

SECTION 11. Duties of peace officers.—It is hereby made the special duty, as far as practicable, of all peace officers who may be on duty and available for fire duty, to respond to all fire alarms and assist the department in the protection of life and property, in regulating traffic, maintaining order, and in enforcing observance of all sections of this act.

SECTION 12. Penalties.—Any person violating any of the provisions of this act, shall be deemed guilty of a misdemeanor and, upon conviction, be fined not less than ten dollars nor more than one hundred dollars or be imprisoned for a period not exceeding thirty days.

SECTION 13. Time effective.—This act shall take effect July 1, 1965.

Approved the 18th day of June, 1965.

(R629, S420)

No. 429

An Act To Amend Section 21-3673, Code Of Laws Of South Carolina, 1962, As Amended, Relating To The Board Of Trustees Of The School District Of Oconee County, So As To Further Provide For Its Membership And To Provide For The Terms; To Amend Section 21-3676, Code Of Laws Of South Carolina, 1962, Relating To The Powers And Duties Of The Board Of Trustees, So As To Further Provide Therefor; And To Repeal Sections 2 And 3 Of Act 346 Of 1963, Relating To Certain Members Of The Board.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 21-3673 amended—board of trustees—number—election—terms.—Section 21-3673, Code of Laws of South Carolina, 1962, as amended, is further amended to read as follows:

"Section 21-3673. The public educational system of Oconee County shall be directed and managed by the board of trustees of the School District of Oconee County. After June 30, 1965, the board shall be composed of eight members, with one each to be elected from each of the high school areas, and an additional member from the high school areas of Walhalla, Seneca and Westminster. The members shall be elected for terms of two years and shall hold office until their successors have been elected and qualify. The election shall be held on the last Tuesday in June and only the residents of each high school area shall vote for the representative of the area in which such voter resides. The election shall be conducted by the board of trustees. Any vacancy occurring on the board shall be filled for the unexpired term as now provided for filling such vacancies.

The terms of office of the trustees from the Tamassee and Keowee High School Attendance Areas shall terminate June 30, 1965.

The trustees whose terms expire June 30, 1967, shall remain in office until the expiration of their terms."

SECTION 2. Section 21-3676 amended—powers and duties of trustees.—Section 21-3676, Code of Laws of South Carolina, 1962, is amended by striking at the end of item (17) the word "and"; by changing the period at the end of item (18) to a semicolon and adding the word "and"; and by adding a new item to read as follows:

"(19) To take such action as will insure that all elementary schools shall have a uniform curriculum, equipment and instruction."

The section when amended shall read as follows:

"Section 21-3676. In addition to the powers and duties now provided for by law, the board of trustees shall have the following powers and duties:

(1) Employ any personnel it deems necessary for the efficient operation of the schools;

(2) Adopt administrative policies;

(3) Plan and construct new buildings;

(4) Issue bonds to construct and repair buildings and pledge capital outlay funds from State, Federal and local tax sources for their payment, under conditions stated herein;

(5) Operate a building maintenance and repair program;

(6) Issue short-term notes in anticipation of taxes and State aid funds, and pledge such revenues to the payment thereof;

(7) Exercise the right of eminent domain in securing necessary property;

(8) Determine and evaluate the educational program;

(9) Cause regular audits to be made, and publish annual and special reports;

(10) Keep an accurate record of board proceedings;

(11) Direct a continuing school census;

(12) Provide for all school elections;

(13) Fix the length of the school term;

(14) Administer State aid to public schools and fix the amount of supplement to be paid to the teachers in the several schools within the county;

(15) Arrange with adjoining counties for interchange of pupils or educational services;

(16) Adopt budgets and budgetary controls;

(17) Conduct surveys and, upon the results obtained, reorganize attendance areas, the curriculum, the supervisory program, auxiliary services, or any part of the educational program delegated by the State to the county board of education or to school trustees;

(18) Draw warrants upon school funds in the hands of the treasurer for the payment of any services contracted for by the board, for the payment of insurance premiums, including workmen's compensation premiums for the district, for the payment of withholding taxes from salaries, and for the payment for any acts authorized by the board of trustees pursuant to the duties of the board, as set forth in this section; and

(19) To take such action as will insure that all elementary schools shall have a uniform curriculum, equipment and instruction."

SECTION 3. Sections 2 and 3 of Act 346 of 1963 repealed.—Sections 2 and 3 of Act 346 of 1963 are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R631, H1916)

No. 430

An Act To Create The Office Of Criminal Investigator For Indigent Defendants In Darlington County, And To Provide For Appointment And Salary.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Office of Criminal Investigator for Indigent Defendants created for Darlington County.—There is hereby created the office of Criminal Investigator for Indigent Defendants in Darlington County who shall perform his duties and functions under such rules and regulations as shall be promulgated by the Darlington County Bar Association. The investigator shall investigate the cases of all persons arrested in Darlington County who claim or appear to be indigent and without funds to procure proper legal counsel and can meet the requirements of such rules in this connection as shall be formulated by the Darlington County Bar Association.

SECTION 2. Term—appointment—salary.—The criminal investigator shall serve for a term of two years and he shall be appointed by the Governor, upon approval of the Senator and a majority of the delegation in the House of Representatives from Darlington County. The salary of the investigator shall be five thousand two hundred dollars per year.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 11th day of June, 1965.

(R636, H1840)

No. 431

An Act To Provide For The Office Of County Purchasing Agent For Greenville County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Office of county purchasing agent may be established for Greenville County.—The Board of Commissioners of Greenville County is authorized to establish the office of county purchasing agent for the county, which shall function under the direction of the board. The board shall specify the amount and type of bond

required of the purchasing agent. The premium for such bond shall be paid from general funds of the county. The county purchasing agent shall purchase all materials, supplies or equipment for all departments of Greenville County. Such materials, supplies and equipment shall be requisitioned by each department in writing, by the use of a form to be prescribed by the purchasing agent, at least thirty days in advance of their requirements, except in cases of emergency. No purchase shall be made until the requisition therefor has been approved by the purchasing agent. *Provided,* this section shall not apply to purchases under automobile expense and travel accounts provided in the county's annual appropriations act.

SECTION 2. Bids required—exceptions.—The county purchasing agent under the direction of the Board of Commissioners of Greenville County shall advertise for public bids for each purchase of supplies, machinery, equipment, vehicles or materials in excess of one hundred dollars. The advertisement shall be published in a newspaper of general circulation in the county ten days prior to the date set for receipt of bids. Bids, which may be sealed, shall be opened publicly at a specified time at a meeting of the board of commissioners, and the purchase of such items shall be awarded to the lowest bidder on items of identical quality, but nothing herein shall be construed as preventing the board from directing a purchase from other than the lowest bidder in instances where the board deems it advisable to buy an item of higher quality than that offered by the lowest bidder. Each bid shall specify whether sales tax is or is not included in the bid price. The board shall similarly have the right to reject all bids in its discretion. The minutes of each such meeting of the board shall be taken and preserved, recording all bids received and the amounts of each and the action of the board in awarding the purchase. No purchase of such items shall be a valid and binding obligation of the county unless they are purchased on competitive bids as provided herein. *Provided,* that when purchases of any supplies, machinery, equipment or materials are to be made from or in cooperation with the State Highway Department, or any other State or Federal governmental agency or department, or in accord with a bid price previously secured by the Highway Department or the State Budget and Control Board, the purchasing agent may make the purchase without asking and advertising for bids as herein provided. *Provided,* further, that in cases of emergency, purchases for repairs to machinery, vehicles and equipment may be made without asking for and advertising for bids

as herein provided, and in every such instance the purchasing agent shall certify on the voucher for the articles thus purchased the reasons therefor. The purchasing agent is charged with seeing that property purchased for the county under the terms of this act is of the same quality and quantity as contained in successful bid.

Suppliers desiring to be notified of each advertisement for bids for certain items may register their desire with the purchasing agent, indicating the particular items on which they will be interested in bidding, and thereafter the purchasing agent shall notify each such supplier of a request for bids for such items, supply specifications, etc.; *provided,* however, that this shall constitute a courtesy service only and shall not eliminate the requirement of general advertisement of request for bids as herein provided, nor shall any liability be created against Greenville County by reason of the failure of the purchasing agent to notify any such supplier having registered his request for notification.

The purchasing agent may make purchases for the county without asking and advertising for bids when the cost thereof does not exceed one hundred dollars; *provided,* that no purchases shall be divided for the purpose of circumventing this act; *provided,* further, that in making purchases of under one hundred dollars the purchasing agent shall endeavor to secure the most economical price for goods of the desired quality, and when feasible or when there exist several suppliers of the desired goods, shall secure informal bid quotations for guidance.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R637, H1849) **No. 432**

An Act To Create An Arbitration Board For Greenville County And Define Its Powers And Duties; And To Create The Greater Greenville Public Service District In Greenville County, To Prescribe Its Area And Functions, To Provide For Its Governing Body And Prescribe Its Powers And Duties, To Permit The Consolidation Or Merger Of Special Purpose Districts, To

Permit Acquisition Of Municipal Water Systems, And To Provide Penalties For Certain Violations.

Whereas, the General Assembly finds that in Greenville County a condition exists with reference to distribution of water that needs to be met so that the fullest development of its water resources may be obtained; and Whereas, the General Assembly believes that Greenville County should have one county-wide public service district for the distribution of water; and Whereas, the General Assembly deems it advisable that an arbitration board be appointed to consider every possible means available of effecting a merger of all water distribution systems within the county. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Arbitration board for water problems created for Greenville County.—There is hereby created an Arbitration Board whose duty it shall be to study and investigate conditions in Greenville County involving water problems. The board is directed to confer with the officials of the City of Greenville, and other municipalities and special service districts with the view in mind that these matters can be arbitrated and equitably settled in the best interest of the people of Greenville County. The board shall consist of three Greenville County citizens, none of whom is now holding an office or position of honor or trust in any county, municipal or public service district. The board shall be appointed by the Governor upon the recommendation of a majority of the Greenville County Legislative Delegation, including the Senator. The terms of office shall expire on the date Sections 4 through 14 of this Act shall become effective, as hereinafter provided.

SECTION 2. Meetings—officers—report.—When these board members have qualified, they shall meet and form their own organization, electing a chairman and such other officers as they deem necessary. The board shall hold its meetings at such time and place it may select. The board shall make a written report to the Greenville County Legislative Delegation within three months after its appointment and again immediately prior to its being dissolved.

SECTION 3. County officials to cooperate with board.—To the end of assuring cooperation with this board, the Greenville County Legislative Delegation instructs all officers of Greenville County to fully cooperate and offer such assistance as the board may require and,

further, all facilities of Greenville County are hereby placed at the disposal of the board as it might require.

SECTION 4. Greater Greenville Public Service District created.—There is hereby created in Greenville County the Greater Greenville Public Service District, which shall encompass all of the area within the county not now included in any other special purpose district for water, sewerage and garbage facilities and services, or municipality or area owned by a municipality. It shall be the purpose and function of the district to acquire, construct and operate water, sewerage and garbage facilities and service, utilizing water from any available source, so as to provide service to domestic, commercial or industrial users. The water mains, distribution facilities, tanks, their several component parts, and all apparatus, equipment and property incident thereto or used or useful in the operation thereof and all additions, improvements, extensions and enlargements to any of them shall be referred to in this act as the system.

SECTION 5. To be managed by a board.—The district shall be operated and managed by a board of directors to be known as the Greater Greenville Public Service Board, which shall constitute the governing body of the district. The board shall consist of three resident electors of the area who shall be appointed by the Governor, upon the recommendation of a majority of the Greenville County Legislative Delegation, including the Senator. Of the initial appointees, two shall be appointed for two years and one shall be appointed for four years. All terms thereafter shall be for four years and filled by election. The election shall be held under the supervision of the county commissioners of election and under the election laws of the State. Any vacancy which may occur shall be filled either by appointment or election for the unexpired term. All appointees shall hold office until their successors are appointed and qualify. The initial terms of office shall begin as of the effective date of this act. Immediately after the appointment of the original board, the members shall meet and elect such officers as they deem necessary.

SECTION 6. Additional members in event of merger.—Should the Greenville City Public Works (Water System) merge with the Greater Greenville Public Service District, the governing board of the district shall be increased by three additional members, who shall be appointed by the Mayor and a majority of the City Council and who shall reside within the corporate limits of the City of

Greenville. Of the additional appointees, two shall be appointed for a term of two years, and one for a term of four years. After the expiration of the original terms, successors to said additional appointees shall be elected as are the present members of the governing board except that any successor to the office held by any additional appointee shall reside within the corporate limits of the City of Greenville, it being the intent of this Act that should Section 6 become effective all residents of the District shall vote for all six directors, three of whom shall reside without the corporate limits of the City of Greenville, but within the confines of Greenville County, and the remaining three directors shall reside within the corporate limits of the City of Greenville. Any vacancy which may occur shall be filled by election for the unexpired term.

SECTION 7. Powers and duties.—The district, acting through its governing body, is hereby vested with all such powers as may be necessary or incidental to carry out its purposes, functions and responsibilities including, but without limitation, the following:

(1) To have perpetual succession.

(2) To sue and be sued.

(3) To adopt, use and alter a corporate seal.

(4) To define a quorum for meetings.

(5) To maintain a principal office.

(6) To make bylaws for the management and regulation of its affairs.

(7) To build, construct, maintain and operate ditches, tunnels, culverts, flumes, conduits, mains, pipes, dikes, dams and reservoirs.

(8) To build, construct, maintain and operate distribution systems for the distribution of water for domestic or industrial use and for sewerage and garbage services and facilities.

(9) To acquire and operate any type of machinery, appliances or appurtenances, necessary or useful in constructing, operating and maintaining the system.

(10) To contract for or otherwise acquire a supply of water and sell water for industrial or domestic use.

(11) To prescribe rates and regulations under which such water shall be sold and sewerage or garbage facilities or service may be furnished for industrial and domestic use.

(12) To enter into contracts of long duration for the sale of water or services for garbage or sewerage with persons, private corporations, municipal corporations, or public bodies or agencies.

(13) To prescribe such regulations as it shall deem necessary to protect from pollution all water in its pipes, tanks, reservoirs, distribution systems or elsewhere within its system.

(14) To make contracts of all sorts and to execute all instruments necessary or convenient for the carrying on of the business of the district.

(15) To acquire, purchase, hold, use, lease, mortgage, sell, transfer and dispose of any property, real, personal or mixed, or any interest therein.

(16) To make use of county and state highway rights of way in which to lay pipes and lines in such manner and under such conditions as the appropriate officials in charge of such rights of way shall approve.

(17) Subject always to the limitations of Section 4, Article VIII, of the Constitution of this State, to make use of all the streets and public ways of an incorporated municipality for the purpose of laying pipes and lines.

(18) To alter and change county and state highways wherever necessary to construct the system under such conditions as the appropriate officials in charge of such highways shall approve.

(19) To exercise the power of eminent domain for any corporate function. The power of eminent domain may be exercised through any precedure prescribed by Sections 25-101 through 25-140 and 33-121 through 33-148, of the 1962 Code, as now or hereafter constituted, it being the intent of this provision that further amendments and modifications of these code provisions shall be deemed to amend and revise correspondingly the powers granted by this paragraph.

(20) To appoint officers, agents, employees and servants, to prescribe the duties of such, to fix their compensation and to determine if and to what extent they shall be bonded for the faithful performance of their duties.

(21) To make contracts for construction and other services; *provided,* that such contracts shall be let on competitive bidding and shall be awarded to the lowest responsible bidder.

(22) To borrow money and to make and issue negotiable bonds, notes and other evidences of indebtedness, payable from all

or any part of the revenues derived from the operation of its system. The sums borrowed may be those needed to pay all costs incident to the construction and establishment of the system, and any extensions, additions and improvements thereto, including engineering costs, legal costs and construction costs; the sum needed to pay interest during the period prior to which the system, or any extension, addition or improvement thereof, shall be fully in operation; such sum as is needed to supply working capital to place the system in operation; and all other expenses of any sort that the district may incur in establishing, extending or enlarging the system. Neither the full faith and credit of the State of South Carolina, nor Greenville County, shall be pledged for the payment of the principal and interest of the obligations, and there shall be on the face of each obligation a statement, plainly worded, to that effect. Neither the members of the board, nor any person signing the obligations, shall be personally liable thereon. To the end that a convenient procedure for borrowing money may be prescribed, the district shall be fully empowered to avail itself of all powers granted by Sections 59-361 through 59-415 and 59-651 through 59-682, of the Code of Laws of South Carolina, 1962, as now or hereafter constituted, it being the intent of this provision that further amendments and modifications of code provisions shall be deemed to amend and revise correspondingly the powers granted by this paragraph. In exercising the power conferred upon the district by such code provisions, the district may make or omit all pledges and covenants authorized by any provision thereof, and may confer upon the holders of its securities all rights and liens authorized by law. Notwithstanding contrary provisions in the Code, the district may:

(A) Disregard any provision requiring that bonds have serial maturities, and issue bonds in such form and with such maturing as the district shall determine.

(B) Provide that its bonds, notes or other evidence of indebtedness be payable, both as to principal and interest, from the net revenues derived from the operation of its system, as such net revenues may be defined by the district.

(C) Covenant and agree that upon it being adjudged in default as to the payment of any installment of principal or in-

terest upon any obligation issued by it, or in default as to the performance of any covenant or undertaking made by it, in such event the principal of all obligations of such issue may be declared forthwith due and payable, notwithstanding that any of them may not have then matured.

(D) Confer upon a corporate trustee the power to make disposition of the proceeds from all borrowings and of all revenues derived from the operation of the system, in accordance with the resolutions adopted by the authority as an incident to the issuance of any notes, bonds or other types of securities.

(E) Dispose of bonds, notes or other evidence of indebtedness at public or private sale, and upon such terms and conditions as it shall approve.

(F) Make provision for the redemption of any obligations issued by it prior to their stated maturity, with or without premium, and on such terms and conditions as the district shall approve.

(G) Covenant and agree that any cushion fund established to further secure the payment of the principal and interest of any obligation shall be in a fixed amount.

(H) Covenant and agree that no free service will be furnished to any person, municipal corporation or any subdivision or division of the State.

(I) Prescribe the procedure, if any, by which the terms of the contract with the holders of its obligations may be amended, the number of obligations whose holders must consent thereto, and the manner in which consent shall be given.

(J) Prescribe the events of default and the terms and conditions upon which all or any obligations shall become or may be declared due before maturity and the terms and conditions upon which such declarations and their consequences may be waived.

(23) To extend its system or systems beyond the defined limits of the district to provide services to those living outside the district and outside any incorporated municipality when, in the discretion of the board, it is feasible and practicable so to do, in which case any person or agency receiving such service shall be subject to the same rules, regulations and requirements concerning services being received from the district as persons residing within the district. The board may, in its dis-

cretion, establish rates and charges higher than those within the district for the extension of its system and the provision of services beyond the limits of the district.

SECTION 8. Tax levy if referendum favorable.—Before any special tax may be levied for the purposes defined in this act the matter shall be submitted to the qualified electors of the district by the board. If a majority of those voting in the referendum vote in favor of the tax levy, then, upon request in writing by the board of directors of the district, the Auditor of Greenville County shall levy and the Treasurer shall collect a special tax assessment from time to time as may be considered necessary by the board for the purpose of supplementing the revenues derived from the operation of the system.

SECTION 9. Rates not to be regulated.—The rates charged for services furnished by the system, as constructed, improved, enlarged and extended, shall not be subject to supervision or regulation by any state bureau, board, commission or like instrumentality or agency thereof.

SECTION 10. Exempt from taxes.—(1) Bonds, notes or other evidences of indebtedness issued pursuant to this act and interest payable thereon are hereby exempted from any and all state, county, municipal and other taxation whatsoever under the laws of this State, and it shall be plainly stated on the face of each such obligation as follows: "The principal of and interest on this (bond) (notes or other evidence of indebtedness) are exempted from any and all state, county, municipal and other taxation whatsoever under the laws of the State of South Carolina."

(2) All property of the district shall be exempt from all ad valorem taxes levied by the state, county or any municipality, division, subdivision or agency thereof, direct or indirect.

SECTION 11. Fiscal year and audit.—The district shall conduct its affairs on the fiscal year basis employed by the State. As shortly after the close of its fiscal year as may be practicable, an audit of its affairs shall be made by certified public accountants of good standing, to be designated by the district. Copies of such audits incorporated into an annual report of the district shall be filed with the Auditor and Treasurer of Greenville County, and with the secretary of the Legislative Delegation of Greenville County.

SECTION 12. Unlawful acts—penalties.—It shall be unlawful for any person to wilfully injure or destroy, or in any manner hurt, damage, tamper with, or impair the system of the district, or any part thereof, or any machinery, apparatus or equipment of the district, or to pollute the water in any part of its system, or to obtain water therefrom except in accordance with the regulations promulgated by the district. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not less than ten dollars nor more than one hundred dollars, or be imprisoned for not more than thirty days, in the discretion of the court, and shall be further liable to pay all damages suffered by the district.

SECTION 13. Public entities may purchase water or obtain sewage or garbage services.—The municipalities of Greenville County and all public bodies and public agencies now or hereafter operating water distribution systems in Greenville County shall be fully empowered to enter into contracts to buy water or obtain sewage or garbage services from the district. These contracts shall extend over such period of time and shall contain such terms and conditions as shall be mutually agreeable to the district and to the contracting municipality, public body or public agency.

SECTION 14. Merger of districts.—The governing bodies of any special service district in Greenville County supplying water or furnishing sewage or garbage services or facilities may, by a majority vote of the qualified electors of said district, in an election duly called for that purpose, merge the districts with the Greater Greenville Public Service District or any other district within the county.

SECTION 15. Time effective.—Section 1 through 3 of this Act shall take effect upon approval by the Governor, and Section 4 through 14 shall become effective on such date subsequent to December 1, 1965, as a majority of the Greenville County Legislative Delegation, including the Senator, shall at a meeting duly called for that purpose so specify.

Approved the 18th day of June, 1965.

(R638, H1860)

No. 433

An Act To Amend Section 43-641, Code Of Laws Of South Carolina, 1962, Relating To Powers And Duties Of Ministerial Magistrates Of The City Of Charleston, So As To Further Extend Their Powers And Duties; To Amend Section 15 Of Act No. 776 Of 1962, Relating To Charleston County Court, So As To Further Define Its Jurisdiction; And To Amend Subsection 3 Of Section 43-644, Code Of Laws Of South Carolina, 1962, Relating To Magistrate In St. Andrew's Parish, So As To Further Define His Powers.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 43-641 amended—powers and duties of ministerial magistrates for City of Charleston.—Section 43-641, Code of Laws of South Carolina, 1962, is amended by adding the following proviso at the end: *"Provided,* that on all Notices to Quit, Distress Warrants and Claim and Delivery Proceedings, when in default or when a jury trial is not requested, authority is given to conduct hearings, pass orders, extensions and writs in the same manner and to the same extent as the county magistrates and to charge the same fees as are charged by other Magistrates in Charleston County. When either party requests a jury trial, the case shall be transferred within five days to the Charleston County Court which shall have jurisdiction to dispose of it, as in other cases, by trial or otherwise." The section, when amended, shall read as follows:

"Section 43-641. There shall be three ministerial magistrates in the city of Charleston, who shall have the same powers and duties as ministerial magistrates in the city of Charleston have heretofore had. Such ministerial magistrates shall have the right to appoint one constable each. *Provided,* that on all Notices to Quit, Distress Warrants and Claim and Delivery Proceedings, when in default or when a jury trial is not requested, authority is given to conduct hearings, pass orders, extensions and writs in the same manner and to the same extent as the county magistrates and to charge the same fees as are charged by other Magistrates in Charleston County. When either party requests a jury trial, the case shall be transferred within five days to the Charleston County Court which shall have jurisdiction to dispose of it, as in other cases, by trial or otherwise."

SECTION 2. Section 15 of Act 776 of 1962 amended—jurisdiction of county court.—Section 15 of Act No. 776 of 1962 is amend-

ed by adding the following at the end thereof: "The Court shall also have jurisdiction relating to notices to Quit, Distress Warrants and Claim and Delivery Proceedings referred to it by the Ministerial Magistrates of the City of Charleston after a trial by jury has been requested by either party." The section, when amended, shall read as follows:

"Section 15. The County Court shall have concurrent jurisdiction with the Court of Common Pleas in all civil cases and special proceedings, both at law and in equity, when the amount demanded in the complaint does not exceed twelve thousand dollars or when the value of the property involved does not exceed twelve thousand dollars and in all other civil cases and special proceedings, both at law and in equity, in which there is no money demand or in which the right involved cannot be monetarily measured. The Court shall have concurrent jurisdiction with the Circuit Court to hear and determine all appeals in civil cases from judgments rendered by Magistrates' Courts and the proceedings on such appeal shall be the same as are provided for appeal from the last named Courts to the Courts of Common Pleas. The Court shall have concurrent jurisdiction with the Court of Common Pleas of the county in actions relating to separations and to divorce from the bonds of matrimony and other domestic relations matters. The Court shall also have jurisdiction relating to notices to Quit, Distress Warrants and Claim and Delivery Proceedings referred to it by the Ministerial Magistrates of the City of Charleston after a trial by jury has been requested by either party."

SECTION 3. Subsection (3) of Section 43-644 amended—jurisdiction of magistrate in St. Andrew's Parish.—Subsection (3) of Section 43-644 of the 1962 Code is amended by striking the words "heretofore had," on line six. The subsection, when amended, shall read as follows:

"(3) One in the parish of St. Andrew's, whose jurisdiction shall be limited to the territory of the parish lying outside the corporate limits of the city of Charleston, as it is now or may hereafter be constituted, and who shall have the right to appoint one constable. In addition, such magistrate shall have ministerial powers as ministerial magistrates in the city of Charleston have in that portion of the city of Charleston, as it is now or may hereafter be constituted, west of the Ashley River. The magistrate for the parish of St. Andrew's may reside within or without the limits of the city of Charleston west of the Ashley River and within the parish;".

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of June, 1965.

(R640, H1894)

No. 434

An Act To Create The Clarendon County Economic Opportunity Commission, To Prescribe Its Powers And Duties, And To Amend An Act Of 1965, Bearing Ratification No. 201, Relating To The Lee County Economic Opportunity Commission, So As To Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Clarendon County Economic Opportunity Commission created.—There is hereby created the Clarendon County Economic Opportunity Commission.

SECTION 2. To be corporate body.—The commission is hereby declared to be a body politic and corporate and shall exercise and enjoy all the rights and privileges of such.

SECTION 3. Members and compensation.—The commission shall be composed of ten members who shall be appointed by the Governor upon the recommendation of the legislative delegation. The members of the commission shall serve without compensation.

SECTION 4. Terms and vacancies.—The terms of office of the members of the commission shall be for two years or until their successors are appointed and qualify. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor. Of the initial appointees, five shall serve for one year.

SECTION 5. Officers.—Immediately upon the appointment of the commission, it shall organize by electing one of its members as chairman, a second as vice chairman and a third as secretary and treasurer. The commission shall file a record of its members in the office of the Clerk of Court for Clarendon County.

SECTION 6. Powers and duties.—The commission shall be responsible for the improvement of communication and cooperation

among existing and future programs and the administration of one or more new programs designed to improve the health, education, welfare, housing or employment of the residents of Clarendon County. To this end the commission shall be empowered as follows:

(a) to sue and be sued;

(b) to adopt, use and alter a corporate seal;

(c) to make bylaws for the management and regulation of its affairs;

(d) to appoint agents, employees and servants, to prescribe their duties, to fix their compensation, to determine if and to what extent they shall be bonded for the faithful performance of their duties;

(e) to undertake the improvement of communication and cooperation among existing and future programs administered by federal, state, county and municipal governmental agencies and private nonprofit organizations designed to improve the health, education, welfare, housing or employment of the county residents and, with the consent of such agencies and organizations, to coordinate same;

(f) to enter into contracts and agreements for performance of its programs and duties with federal, state, county and municipal governmental agencies and subdivisions thereof, and private nonprofit organizations;

(g) to accept and receive funds for the performance of its duties in the administration of its programs from such governmental agencies and subdivisions thereof and private nonprofit organizations, as well as any other sources;

(h) to designate an executive committee from among the members of the commission to which may be delegated one or more duties and responsibilities of the commission and, from time to time, to appoint one or more subcommittees composed of residents of Clarendon County to advise and assist in the administration of its program and the performance of its duties;

(i) to maintain adequate accounts and records of its activities, receipts and expenses in conformance with requirements of any contract or agreement with any federal, state, county or municipal governmental agency, or subdivision thereof, or any private nonprofit organization; and

(j) to acquire, own or hold in trust, preserve, restore, maintain or lease property, facilities and equipment reasonably necessary for the performance of its duties and the administration of its programs.

SECTION 7. Exempt from taxes.—All property of the commission shall be exempt from all ad valorem taxes levied by Clarendon County or any municipality therein, or any division, subdivision or agency thereof, directly or indirectly.

SECTION 8. Fiscal year and audit.—The commission shall conduct its affairs on the fiscal year basis employed by Clarendon County. As shortly after the close of its fiscal year as may be practicable an audit of its affairs shall be made by a certified public accountant in good standing, to be designated by the commission. Copies of such audit, incorporated into an annual report of the commission, shall be filed with the Clarendon County Legislative Delegation.

SECTION 9. Contracts not to be impaired.—The right to alter, amend or rescind this act is hereby expressly reserved and disclosed, but no such amendment or repeal shall operate to impair the operation of any contract otherwise made by the authority pursuant to any power conferred by this act.

SECTION 10. When action may be taken.—Any action required of the commission may be taken at any regular or special meeting, and at such meeting a majority of the members shall constitute a quorum.

SECTION 11. Section 3 of Act 146 of 1965 amended—Lee County Economic Opportunity Commission—members and compensation.—Section 3 of an Act of 1965, bearing Ratification No. 201, is amended by inserting before the word "five" on line one "a minimum of" so that, when so amended, the section shall read:

"Section 3. The commission shall be composed of a minimum of five members who shall be appointed by the Governor upon the recommendation of the legislative delegation. The members of the commission shall serve without compensation."

SECTION 12. Section 4 of Act 146 of 1965 amended—terms and vacancies.—Section 4 of an Act of 1965, bearing Ratification No. 201, is amended by striking the last sentence and inserting the following: "Of the initial appointees, less than one-half of the members shall be appointed for one year." When so amended, the section shall read:

"Section 4. The terms of office of the members of the commission shall be for two years and until their successors are appointed and qualify. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term

shall be appointed in the same manner as his predecessor. Of the initial appointees, less than one-half of the members shall be appointed for one year."

SECTION 13. Saving clause.—Should any part or section of this act be declared unconstitutional, the remainder shall remain in full force and effect.

SECTION 14. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of June, 1965.

(R641, H1908)

No. 435

An Act To Provide For The Investigation Of Pupils In Greenwood County Who Are Absent From School An Excessive Number Of Times And Institution Of Action Against Persons Responsible Therefor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Greenwood County—investigate pupils absent from school excessively.—When information is furnished the visiting teacher or the judge or probation officer of the Juvenile and Domestic Relations Court of Greenwood County that a pupil in any school in the county, who is physically and mentally able to attend school, has been absent an excessive number of times, the probation officer of the Juvenile and Domestic Relations Court of Greenwood County shall investigate the reasons for such absences and when warranted shall institute necessary action against the person responsible for such child for contributing to its delinquency.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of June, 1965.

(R644, H1214)

No. 436

An Act To Create The Calhoun County Economic Opportunity Commission And To Prescribe Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Calhoun County Economic Opportunity Commission created.—There is hereby created the Calhoun County Economic Opportunity Commission.

SECTION 2. To be corporate body.—The commission is hereby declared to be a body politic and corporate and shall exercise and enjoy all the rights and privileges of such.

SECTION 3. Members and compensation.—The commission shall be composed of seven members who shall be appointed by the Governor upon the recommendation of the legislative delegation. The members of the commission shall serve without compensation.

SECTION 4. Terms and vacancies.—The terms of office of the members of the commission shall be for two years or until their successors are appointed and qualify. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor. Of the initial appointees, three shall serve for one year.

SECTION 5. Officers.—Immediately upon the appointment of the commission, it shall organize by electing one of its members as chairman, a second as vice chairman and a third as secretary and treasurer. The commission shall file a record of its members in the office of the Clerk of Court for Calhoun County.

SECTION 6. Powers and duties.—The Commission shall be responsible for the improvement of communication and cooperation among existing and future programs and the administration of one or more new programs designed to improve the health, education, welfare, housing or employment of the residents of Calhoun County. To this end the commission shall be empowered as follows:

(a) to sue and be sued;

(b) to adopt, use and alter a corporate seal;

(c) to make bylaws for the management and regulation of its affairs;

(d) to appoint agents, employees and servants, to prescribe their duties, to fix their compensation, to determine if and to what extent they shall be bonded for the faithful performance of their duties;

(e) to undertake the improvement of communication and cooperation among existing and future programs administered by federal, state, county and municipal governmental agencies and private nonprofit organizations designed to improve the health, education, welfare, housing or employment of the county residents and, with the consent of such agencies and organizations, to coordinate same;

(f) to enter into contracts and agreements for performance of its programs and duties with federal, state, county and municipal governmental agencies and subdivisions thereof, and private nonprofit organizations;

(g) to accept and receive funds for the performance of its duties in the administration of its programs from such governmental agencies and subdivisions thereof and private nonprofit organizations, as well as any other sources;

(h) to designate an executive committee from among the members of the commission to which may be delegated one or more duties and responsibilities of the commission and, from time to time, to appoint one or more subcommittees composed of residents of Calhoun County to advise and assist in the administration of its program and the performance of its duties;

(i) to maintain adequate accounts and records of its activities, receipts and expenses in conformance with requirements of any contract or agreement with any federal, state, county or municipal govermental agency, or subdivision thereof, or any private nonprofit organization; and

(j) to acquire, own or hold in trust, preserve, restore, maintain or lease property, facilities and equipment reasonably necessary for the performance of its duties and the administration of its programs.

SECTION 7. Exempt from taxes.—All property of the commission shall be exempt from all ad valorem taxes levied by Calhoun County or any municipality therein, or any division, subdivision or agency thereof, directly or indirectly.

SECTION 8. Fiscal year and audit.—The commission shall conduct its affairs on the fiscal year basis employed by Calhoun County. As shortly after the close of its fiscal year as may be practicable, an audit of its affairs shall be made by a certified public accountant in

good standing, to be designated by the commission. Copies of such audit, incorporated into an annual report of the commission, shall be filed with the Calhoun County Legislative Delegation.

SECTION 9. Contracts not to be impaired.—The right to alter, amend or rescind this act is hereby expressly reserved and disclosed, but no such amendment or repeal shall operate to impair the operation of any contract otherwise made by the authority pursuant to any power conferred by this act.

SECTION 10. When action may be taken.—Any action required of the commission may be taken at any regular or special meeting, and at such meeting a majority of the members shall constitute a quorum.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of June, 1965.

(R647, H1910)

No. 437

An Act To Provide For The Issuance Of Construction Permits In Greenwood County; To Prohibit Electrical Companies Or Rural Cooperatives From Making Electrical Connections To A Building Constructed Without A Permit And Providing A Penalty For Violations; And To Repeal Sections 14-400.861 And 14-400.862, Code Of Laws Of South Carolina, 1962, Requiring Certain Building Information To Be Filed With The Auditor, And Providing Penalties For Violations.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Construction permits required for Greenville County.—It shall be unlawful for any person to erect, construct or renovate any building which costs in excess of one thousand dollars, in Greenwood County, unless an application has been filed with and a permit granted by the tax assessor of Greenwood County or his duly appointed deputy to erect, construct or renovate such building; *provided,* no permit shall be required for any building situate within any incorporated municipality which requires a permit for the erection, construction or renovation of a building.

SECTION 2. Application forms.—The tax assessor shall prepare and furnish the application forms, which shall show information to be of assistance to him in locating the real estate on which a new building is to be made and in checking tax returns. The information shall include, but shall not be limited to, the following: (a) name of owner of the real estate; (b) tax district; (c) street number or road and rural post office box number; (d) estimated cost of construction; (e) type of construction; (f) type of roof; (g) number of stories; (h) number of rooms; and (i) approximate distance from the limits of the nearest municipality.

SECTION 3. Issuance of permit.—The permit shall be numbered and be made in triplicate; the original shall be filed with the tax assessor and one copy with the county auditor. The permit when issued shall be kept at the building or place where such construction, erection or renovation is being done and on demand shall be produced by the person in charge of such work for inspection by any police officer or properly designated agent of the tax assessor's office, and it shall be unlawful to continue the work after demand unless and until the permit is produced for inspection.

SECTION 4. Municipalities to furnish copies.—Every municipality in the county requiring permits for the erection, construction or renovation of any building shall furnish to the tax assessor and auditor copies of all permits issued by the municipality.

SECTION 5. Penalties.—Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction shall be fined not more than twenty-five dollars or be imprisoned for not more than five days. In case of a violation of the provisions of Section 1 of this act, each day that a violation is continued shall constitute a separate offense.

SECTION 6. Electricity not to be furnished without permit.—It shall be unlawful for any public utility company or rural electric cooperative or system to make a new connection of electrical energy to a new building or facility requiring a permit under this act unless such permit was acquired for the construction of the building or facility. Any company or cooperative making a connection shall report to the county tax assessor's office on or before the tenth of each month the location of each connection.

SECTION 7. Deputy issuing officials—appointment of.—The tax assessor may appoint deputy issuing officials for the purpose of

this act, and it is specifically contemplated that one or more employees of each public utility company or rural electric system doing business within Greenwood County be appointed in order that the permits required by this act may be issued at the office of such company or system at the same time as a customer applies for an electrical connection.

SECTION 8. Furnishing of electricity—further.—Building permits required by zoning regulations adopted by the Greenwood Metropolitan Planning Commission pursuant to Article 20, Chapter 8 of Title 14, Code of Laws of South Carolina, 1962, must be secured prior to application being made for a connection of electrical energy to any construction for which a permit is required by such regulation, and it shall be unlawful for any public utility company or rural electric cooperative or system to make a new connection of electrical energy to construction requiring a permit under the zoning regulations unless the permit has been acquired and is displayed to the company, cooperative or system.

SECTION 9. Sections 14-400.861 and 14-400.862 repealed.—Sections 14-400.861 and 14-400.862, Code of Laws of South Carolina, 1962, are repealed.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of June, 1965.

(R652, H1761)

No. 438

An Act To Amend Section 59-537, Code Of Laws Of South Carolina, 1962, Relating To The Furnishing Of Water Beyond The Corporate Limits Of Certain Municipalities In Barnwell, Beaufort And Marion Counties, So As To Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 59-537 amended—certain municipalities may furnish water beyond corporate limits.—Section 59-537, Code of Laws of South Carolina, 1962, is amended by striking on line two "the city of Marion" and inserting "the cities of Marion and

Mullins" and by striking on line six "but contiguous thereto," so that when so amended the section shall read:

"Section 59-537. The city of Barnwell, in Barnwell County, the city of Beaufort, in Beaufort County, the cities of Marion and Mullins, in Marion County, and the town of Port Royal, in Beaufort County, may through the officials of the city or town enter into a contract with any person to furnish water or sewage disposal facilities, one or both, without the city or town corporate limits, upon such terms, rates and charges as may be fixed by contract for domestic or industrial purposes, or both, when in the judgment of the city or town officials it is best for the interests of the municipality so to do. No contract shall run for a longer period than thirty years, but may be renewed from time to time at the discretion of the city or town officials."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R657, H1906)

No. 439

An Act To Amend Article 4, Chapter 17, Title 14, Code Of Laws Of South Carolina, 1962, Relating To Purchases In Abbeville County, So As To Create The Office Of Purchasing Agent; To Provide For Purchasing Procedures; To Make The Purchasing Agent The Tax Collector, Ex Officio; And To Amend Sections 65-2121 And 65-2123, As Amended, Code Of Laws Of South Carolina, 1962, Relating To Tax Collectors In Abbeville And Hampton Counties, So As To Further Provide For The Tax Collector In Section 65-2121 And To Make The Provisions Of Section 65-2123 Inapplicable In Abbeville County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 4, Chapter 17, Title 14 of 1962 Code amended—Abbeville County—purchasing agent and purchases.—Article 4, Chapter 17, Title 14, Code of Laws of South Carolina, 1962, is amended to read as follows:

"Section 14-731. There is hereby created the office of County Purchasing Agent for Abbeville County. He shall be appointed by

the Governor upon the recommendation of a majority of the county legislative delegation for a term of two years and until his successor is appointed and qualifies and shall receive such salary as may be provided for in the county annual appropriations act. He shall make all purchases for the county under such procedure as is hereinafter provided for. The Purchasing Agent shall be the Tax Collector, ex officio.

Section 14-732. Every three months, or more often if need be, the purchasing agent shall advertise weekly for two weeks in one or more Abbeville County newspapers and by posting on the courthouse door for all vehicles, implements, equipment and purchases of whatsoever nature and kind for the governing body, sheriff, clerk of court, treasurer, auditor, judge of probate, magistrates, for prison camp, roads and bridges, buildings, heat and fuel, motor oil, machinery, or anything else needed for use in business of the county. Such advertisements shall set forth the articles, approximately the amounts to be purchased and the conditions of sale and delivery. The contracts shall be awarded to the lowest bidder for the period indicated. *Provided,* if a county resident's bid is reasonably close to a non-county bid, the award may be made to the resident. In cases of emergency, the purchasing agent may make county purchases without such advertisement or posting when the cost will not exceed one hundred dollars. No bill, account or claim of any kind whatsoever against the county shall be paid for any purchase which is not made in accordance with the provisions of this section.

In the event the purchasing agent is incapacitated or dies, the governing body of the county shall make provisions until such time when the purchasing agent returns to duty or his successor is appointed and qualifies.

Section 14-733. All materials, supplies and equipment shall be requisitioned by each department of the county in writing, by use of forms to be prescribed by the purchasing agent, at least fifteen days in advance of requirements, except in cases of emergency. Upon receipt of a requisition, the purchasing agent shall expedite the securing of items indicated by the requisition provided such items are in agreement with appropriated funds.

Section 14-734. No work for the county shall be paid for until it has been completed, inspected and accepted.

Section 14-735. It shall be cause for removal from office for any person to make or attempt to make any county purchase, except in the manner as provided for in this article."

SECTION 2. Section 65-2121 amended—tax collectors for Abbeville and Hampton Counties.—Section 65-2121, Code of Laws of South Carolina, 1962, is amended to read as follows:

"Section 65-2121. There shall be appointed by the Governor, upon the recommendation of the Hampton County Legislative Delegation, one discreet person to be known as the tax collector of the county. The Purchasing Agent of Abbeville County shall serve as tax collector, ex officio."

SECTION 3. Section 65-2123 amended—Hampton County tax collector—terms and vacancies.—Section 65-2123, as amended, Code of Laws of South Carolina, 1962, is further amended to read as follows:

"Section 65-2123. The term of office of the tax collector in office in Hampton County on April 11, 1960 shall extend to June 30, 1961, and thereafter the regular term of office shall be four years, commencing on the first day of July and until his successor is appointed and qualifies. He may be removed for cause at any time by the Governor upon recommendation of the county legislative delegation. All vacancies in the office for any cause shall be filled by the Governor for the unexpired term in the manner provided in this article."

SECTION 4. Time effective.—This act shall take effect July 1, 1965.

Approved the 18th day of June, 1965.

(R659, H1800)

No. 440

An Act To Repeal Article 7, Chapter 7, Of Title 42, Code Of Laws Of South Carolina, 1962, Relating To The Berkeley County Library Board.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 7, Chapter 7, Title 42, 1962 Code repealed.—Article 7, Chapter 7, of Title 42 of the Code of 1962 is hereby repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R660, H1803)

No. 441

An Act To Establish A Juvenile And Domestic Relations Court For Aiken County, And To Define Its Jurisdiction And Powers.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Juvenile and Domestic Relations Court created for Aiken County.—There is established for all of Aiken County except that area within the Savannah River Plant of the Atomic Energy Commission a court to be called the Juvenile and Domestic Relations Court. The court shall be a court of record and shall have a seal and the judge and clerk thereof shall have power to administer oaths and affirmations.

SECTION 2. Definitions.—When used in this act, unless the context otherwise requires, (a) "court" means the Juvenile and Domestic Relations Court of Aiken County; (b) "judge" means Judge of the Juvenile and Domestic Relations Court of Aiken County; (c) "child" means a person less than sixteen years of age; and (d) "adult" means a person sixteen years of age or older.

SECTION 3. Judge — appointment — term — vacancies—to be master in equity.—(a) The Judge of the Juvenile and Domestic Relations Court of Aiken County shall be appointed by the Governor upon the written recommendation of a majority of the Aiken County Bar Association for a term of six years. The appointment shall be certified to the Secretary of State who in turn shall issue a commission to the appointed judge.

(b) Only a resident attorney at law in Aiken County who has been engaged in the practice of law in South Carolina for five years, or more, shall be eligible for appointment as judge of the court.

(c) The salary of the judge shall be as provided in the annual appropriation act for Aiken County.

(d) In case of the absence of the judge due to illness, vacation or otherwise, a majority of the Aiken County Bar Association may recommend to the Governor for appointment an attorney of the Aiken County Bar, meeting the requirements and qualifications herein specified for selection as judge, to serve during such vacancy or inability of the judge and he shall have all of the powers and duties imposed by this act upon the judge of the court. The acting judge shall receive as compensation on a per diem basis the rate of pay provided for the regular judge. In case of the death or the resignation of the judge,

a majority of the Aiken County Bar Association shall recommend in writing to the Governor a person meeting the qualifications herein specified to serve the remainder of the unexpired term.

(e) During his term of office the judge shall not engage in the practice of law in any respect.

(f) The judge shall also act as master in equity with all the power and authority now conferred upon the master under the laws of South Carolina; *provided,* the present master in equity shall serve and assist until November 1, 1965.

SECTION 4. Appointment of personnel.—All appointments of personnel under the authority of this act shall be made by the judge. The judge shall employ a probation officer and such stenographic and clerical assistance as may be necessary at salaries to be fixed in the annual county appropriation act. There shall be a chief secretary-clerk who shall attend to the affairs of the office and keep it open during regular working hours observed by other courthouse employees. There shall be at least one probation officer who shall be a person of special training to work with children and domestic problems. He shall make investigations, including the status of probations, and perform other duties upon the direction of the judge.

SECTION 5. Duties of.—Administrative and professional personnel shall be under the direct supervision of the judge or his duly appointed supervisor, and shall be charged with the execution of all orders and assignments necessary to the execution of the provisions of this act.

SECTION 6. When court to have original jurisdiction.—(a) Except as otherwise provided herein, the court shall have original jurisdiction and shall be an agency for initiating action concerning any child living or found within the county:

(1) who is neglected as to proper and necessary support or education, as required by law, or as to medical, psychiatric, psychological or other care necessary for his well-being; or who is abandoned by his parent or other custodian;

(2) whose occupation, behavior, condition, environment or associations are such as to injure or endanger his welfare or that of others;

(3) who is beyond the control of his parent or other custodian;

(4) who is alleged to have violated or attempted to violate any state or local law or municipal ordinance, regardless of where the

violation occurred, except traffic violations where the penalty does not exceed thirty days' imprisonment or one hundred dollars' fine;

(5) whose custody is the subject of controversy;

(6) who, because of a mentally defective, mentally disordered or emotionally disturbed condition, is in need of treatment or commitment; or

(7) who is an incorrigible, or a delinquent, or a persistent truant.

(b) Whenever the Juvenile or Domestic Relations Court shall have acquired the jurisdiction of any child under sixteen years of age, the jurisdiction shall continue so long as in the judgment of the court it may be necessary to retain jurisdiction for the correction or education of the child, but the jurisdiction shall terminate when the child shall attain the age of twenty-one years. Any minor, sixteen years of age or older, alleged to have violated or attempted to violate any state or local law or municipal ordinance except traffic violations where the penalty does not exceed thirty days' imprisonment or a fine of one hundred dollars, within the territorial jurisdiction of this court, prior to becoming sixteen years of age, may be dealt with under the provisions of this act relating to children.

(c) Any child brought before this court for the reasons set forth in Section 6(a)(4) of this act at any time prior to disposition of the case, shall have the right upon request in writing, or the court in its discretion may order, that the matter, case or cause be transferred for disposition to any other court having jurisdiction of the offense alleged to have been committed by the child.

SECTION 7. Writs of habeas corpus for minors.—The judge shall have the power to issue a writ of habeas corpus to produce any person under the age of twenty-one in court where necessary.

SECTION 8. Transfer of certain cases against minors from circuit court.—If, during the pendency of a criminal or quasi-criminal charge against any minor in any other court, it shall be ascertained that the minor was under the age of sixteen years at the time of committing the alleged offense, the court may transfer the case, together with all the papers, documents and testimony connected therewith, to the Juvenile and Domestic Relations Court, except in those cases where the Constitution gives to the circuit court original jurisdiction.

The court making such transfer shall order the minor to be taken to the place of detention designated by the Juvenile and Domestic

Relations Court or to that court itself, or shall release the minor to the custody of some suitable person to be brought before the court at a time designated. The court shall then proceed as provided in this act.

SECTION 9. Preliminary investigation by court.—Whenever the court is informed by verified written petition that a child is within the purview of this act, the court shall make preliminary inquiry to determine whether the interests of the public or of the child require that further action be taken. The court may make informal adjustment as is practicable without a petition, or may authorize a petition to be filed by any person. The petition and all subsequent court documents shall be entitled "In the Juvenile and Domestic Relations Court of Aiken County. In the interest of ....., a child under sixteen years of age."

The petition shall be verified and may be upon information and belief. It shall set forth plainly: (1) the facts which bring the child within the purview of this act; (2) the name, age and residence of the child; (3) the names and residences of his parents, if known; (4) the name and residence of his legal guardian, if there be one, of the person or persons having custody or control of the child, or of the nearest known relative, if no parent or guardian can be found. If any of the facts herein required are not known by the petitioner, the petition shall so state.

Prior to the hearing of a case of any child, the judge shall cause an investigation of all the facts pertaining to the issue to be made. The investigation shall consist of an examination of the parentage and surroundings of the child, his age, habits and history, and shall include also any inquiry into the home conditions, habits and character of his parents or guardian. Prior to the hearing of a case of any child who attends school, there shall be obtained from the school which he attends a report concerning him. The school officials shall furnish the report upon the request of the court or its probation counselor. The court shall, when it is considered necessary, cause a complete physical examination to be made of the child by a competent physician.

SECTION 10. Service of summons.—Service of summons shall be made personally by the delivery of an attested copy to the person summoned; *provided,* that if the judge is satisfied that it is impracticable to serve personally the summons or the notice provided for in this act, he may order service by registered mail addressed to the

last known address, or by publication thereof, or both. It shall be sufficient to confer jurisdiction if service is effected at least forty-eight hours before the time fixed in the summons for the return thereof.

Service of summons, process or notice required by this act may be made by any suitable person under the direction of the court and upon request of the court shall be made by any peace officer.

SECTION 11. Summons—further.—If any person summoned as herein provided shall, without reasonable cause, fail to appear, he may be proceeded against for contempt of court. In case the summons cannot be served, or the parties served fail to obey it, or in any case when it shall be made to appear to the judge that the service will be ineffectual, or that the welfare of the child requires that he be brought forthwith into the custody of the court, a warrant or capias may be issued for the parent, guardian or the child.

SECTION 12. Minors—custody of—keep separate from adults.—(a) When any child, found violating any law or ordinance, or whose surroundings are such as to endanger his welfare, is taken into custody the taking into custody shall not be termed as arrest. The jurisdiction of the court shall attach from the time of the taking into custody. When a child is so taken into custody, the officer shall notify the parent, guardian, or custodian of the child as soon as possible. Whenever possible, unless otherwise ordered by the court, the child shall be released to the custody of his parent or other responsible adult upon the written promise, signed by such person, to bring the child to the court at a stated time or at the time the court may direct. The written promise, accompanied by a written report by the officer, shall be submitted to the court as soon as possible. If such person shall fail to produce the child as agreed upon or upon notice from the court, a summons or a warrant may be issued for the apprenhension of such person or of the child, or both.

(b) If the child is not released as herein provided, the child shall be taken without unnecessary delay to the court or to the place of detention designated by the court, and as soon as possible thereafter the fact of the detention shall be reported to the court, accompanied by a written report by the officer taking the children into custody stating: (1) facts of the offense, and (2) the reason why the child is not released to the parent. Pending further disposition of the case

the court may release the child to the custody of the parent or other person or may by proper order detain the child in such place as the court shall designate, subject to further order, but no child shall be held in detention longer than two days, excluding Sundays and holidays, unless an order for his detention is signed by the judge.

(c) Where practicable no child shall be transported in any police vehicle which also contains adults under arrest. No child shall at any time be detained in any police station, lockup, jail or prison except upon order of the judge and when a child is placed in a jail or other place of detention for adults, he shall be placed in a room or ward entirely separate from adults confined therein.

(d) Any person detained in accordance with the provisions of this act shall be entitled to bail in an amount to be fixed by the court.

(e) Neither the fingerprints nor a photograph shall be taken of any child taken into custody for any purpose, without the consent of the judge.

(f) Peace officers' records of children shall be kept separate from records of adults and shall not be open to public inspection.

SECTION 13. Hearings for children.—All cases of children shall be dealt with as separate hearings by the court and without a jury. The hearings shall be conducted in an informal manner and may be adjourned from time to time. Stenographic notes or other transcript of the hearings shall be required only if the court so orders. The general public shall be excluded and only such persons admitted as the judge shall find to have a direct interest in the case or in the work of the court. The presence of the child in court may be waived by the court at any stage of the proceedings. Hearings may be held at any time or place within the county designated by the judge.

SECTION 14. Quarters for children.—Children detained by the court shall be quartered in such private home or institution as the judge may direct.

SECTION 15. Action by court after exercising jurisdiction of children.—When a child is found by the court to come within the provisions of Section 6 of this act, the court shall so decree and in its decree shall make a finding of the facts upon which the court exercises its jurisdiction over the child. Upon such decree the court may by order duly entered proceed as follows:

(a) Place the child on probation or under supervision in his own home or in the custody of a suitable person elsewhere, upon such

conditions as the court may determine. Probation shall mean case-work services during a continuance of the case. Probation shall not be ordered or administered as a punishment, but as a measure for the protection, guidance and well-being of the child and his family. Probation methods shall be directed to the discovery and correction of the basic causes of maladjustment and to the development of the child's personality and character, with the aid of the social resources of the community.

(b) Commit the child to the custody or to the guardianship of a public or private institution or agency authorized to care for children or to place them in family homes, or under the guardianship of a suitable person. The commitment shall be for an indeterminate period but in no event shall continue beyond the child's twenty-first birthday. In committing a child to a private institution or agency the court shall select one that is approved by the State Board of Public Welfare.

(c) The court may cause the child concerning whom a petition has been filed to be examined or treated by a physician, psychiatrist or psychologist, and for such purpose may place the child in a hospital or other suitable facility.

(d) Order such other care and treatment as the court may deem best, except as herein otherwise provided. In support of any order or decree the court may require the parents or other persons having the custody of the child, or any other person who has been found by the court to be encouraging, causing or contributing to the acts or conditions which bring the child within the purview of this act, to do or omit to do any acts required or forbidden by law, when the judge deems such requirement necessary for the welfare of the child. In case of failure to comply with such requirement, the court may proceed against such persons for contempt of court.

(e) The court may dismiss the petition or otherwise terminate its jurisdiction at any time.

No adjudication by the court of the status of any child shall be deemed a conviction, nor shall the adjudication operate to impose any of the civil disabilities ordinarily resulting from conviction, nor shall any child be found guilty or be deemed a criminal by reason of such adjudication, nor shall any child be charged with crime or convicted in any court, except as provided in Section 8 of this act. The disposition made of a child, or any evidence given in the court, shall not operate to disqualify the child in any future civil service application or appointment. Whenever the court shall commit a child to

any institution or agency it shall transmit with the order of commitment a summary of its information concerning the child, and the institution or agency shall give to the court such information concerning the child as the court may at any time require.

SECTION 16. Court may appoint guardians.—Whenever, in the course of a proceeding instituted under this act, it shall appear to the court that the welfare of a child will be promoted by the appointment of an individual as general guardian of his person and property, the court shall have jurisdiction to make such appointment, with or without petition.

SECTION 17. Selection of guardian.—In placing a child under the guardianship or custody of an individual or a private agency or institution the court shall, whenever practicable, select a person or an agency or institution governed by persons of the same religious faith as that of the parents of the child, or in case of a difference in the religious faith of the parents, then of the religious faith of the child, or if the religious faith of the child is not ascertainable, then of the faith of either of the parents.

SECTION 18. Payment for care or support of children.—Whenever a child is committed by the court to custody other than that of his parents, or is given medical, psychological or psychiatric treatment under order of the court, and no provision is otherwise made by law for the support of such child or payment for such treatment, compensation for the care and treatment of the child, when approved by order of the court, shall be subject to whatever provision may be made (for the financing of indigents) by the county. The court may, after giving the parent a reasonable opportunity to be heard, order and decree that the parent shall pay in such manner as the court may direct such sum, within his ability to pay, as will cover in whole or in part the support and treatment of the child. If the parent shall wilfully fail or refuse to pay the sum the court may proceed against him as for contempt.

SECTION 19. Criminal jurisdiction of court.—(a) The court shall have criminal jurisdiction concurrent with other courts having such jurisdiction to try all cases involving an adult charged with the following offenses:

(1) Deserting, abandoning, or failing to provide support for wife or minor dependent unmarried, legitimate or illegitimate, children in violation of the law;

(2) Contributing to the delinquency of a minor; and

(3) All those offenses enumerated in Sections 20-301 and 20-302, Code of Laws of South Carolina, 1962.

(b) Upon a magistrate's issuing a warrant charging any person with commission of any of the foregoing offenses, the court shall have power to receive a plea of guilty from the person so charged if such person waives presentment or indictment by the grand jury.

(c) Upon the grand jury's presenting or indicting any person for commission of any of the foregoing offenses, the circuit solicitor may transfer the case, indictment, and all pertinent records to the court for trial or plea. Such trial shall be without a jury unless the defendant demands a trial by jury, and in that event the court shall remand the case to the circuit court.

(d) The court shall have the power to impose the penalty or sentence provided by law for such offenses.

SECTION 20. Penalties for violations by adults.—Any adult who wilfully violates, neglects or refuses to obey or perform any lawful order of the court, or who violates any provision of this act, may be proceeded against for contempt of court. Any adult found in contempt of court may be punished by a fine not to exceed one thousand dollars or by imprisonment not to exceed one year, or by both such fine and imprisonment.

SECTION 21. Sessions and quarters.—Sessions of the court shall be held at such times as the court shall from time to time determine. The quarters for the hearing of cases and for the use of the judge and other employees of the court shall be such as designated by the board of commissioners.

SECTION 22. Fees.—In proceedings under Section 6 of this act no court fee shall be charged against and no witness fees shall be allowed to any party to a petition. No officer of the State or of any political subdivision thereof shall be entitled to receive any fee for the service of process or for attendance in court in any such proceedings. All other persons acting under orders of the court may be paid for services or service of process, and attendance or serving as witnesses, the fees provided by law for like services in cases before the circuit court, to be paid from the appropriation provided when the allowances are certified to by the judge. In cases other than those under Section 6, the court shall receive such fees and costs as are provided by law for

like proceedings in the circuit court. Such fees and costs shall be remitted to the Treasurer of Aiken County.

SECTION 23. Records not to be made public—penalties.—The court shall make and keep records of all cases brought before it and shall devise and cause to be printed such forms for social and legal records and such other papers as may be required. The court's official records shall be open to inspection only by consent of the judge to persons having a legitimate interest therein. All information obtained and social records prepared in the discharge of official duty by an employee of the court shall be privileged and shall not be disclosed directly or indirectly to anyone other than the judge or others entitled under this act to receive such information, unless and until otherwise ordered by the judge. The name or picture of any child under the jurisdiction of the court shall not be made public by any newspaper, radio or television station except as authorized by order of the court. Any person who violates this section shall be guilty of a misdemeanor and subject to be fined not more than one hundred dollars or imprisonment for not more than thirty days. The records in proceedings under Section 6 of this act shall be filed in the office of the court. The records of all other proceedings shall be filed in the office of the Clerk of Court for Aiken County.

SECTION 24. Court to be assisted by other agencies.—The court is authorized to seek the cooperation of all societies or organizations, public or private, having for their object the protection or aid of delinquents or neglected children, to the end that the court may be assisted in every reasonable way to give to all such children the care, protection and assistance which will conserve the welfare of such children. It is made the duty of every city, town or municipal official or department in the county to render such assistance and cooperation within his or its jurisdictional power to further the objects of this act. All institutions, associations or other custodial agencies in which any child may be, coming within the provisions of this act, are required to give such information to the court or any of the officers appointed by it as the court or officers may require for the purpose of this act.

SECTION 25. Appeals.—Any party to a proceeding under Section 6 of this act may appeal from any Order, Judgment or Decree of the Court to the Circuit Court. Such appeal shall be taken in the manner provided for appeals to the Circuit Court from other inferior courts

upon the filing of written notice of such appeal, together with the grounds therefor within ten days after the filing of such Order, Judgment or Decree. In all other cases under this act the right of appeal shall be to the Supreme Court of South Carolina in the same manner and pursuant to the same rules, practices and procedures as now govern appeals from Circuit Courts, except those cases referred to the Court as Master, which cases shall be appealed to the Circuit Court as provided by law.

The pendency of an appeal or application therefor shall not suspend the order of the Juvenile and Domestic Relations Court regarding a child nor shall it discharge the child from the custody of that court or of the person, institution or agency to whose care such child shall have been committed. If the circuit court does not dismiss the proceedings and discharge the child, it shall affirm or modify the order of the Juvenile and Domestic Relations Court and remand the child to the jurisdiction of that court for supervision and care, and thereafter the child shall be and shall remain under the jurisdiction of the Juvenile and Domestic Relations Court in the same manner as if no appeal had been taken.

SECTION 26. Concurrent jurisdiction in certain cases.—The court shall have concurrent jurisdiction with the circuit court in cases of divorce, annulment, alimony, separate maintenance and support, child support and child custody.

SECTION 27. Jurisdiction—further.—In addition to the jurisdictions and powers conferred on the court by this act, it shall have and exercise the jurisdiction and power conferred on the family court division of a juvenile and domestic relations court as set forth in Sections 15-1221 to 15-1276 of the 1962 Code. The court shall also have jurisdiction over adoption proceedings and the jurisdiction conferred on domestic relations courts by Sections 20-311 to 20-340 of the 1962 Code, known as the "Uniform Reciprocal Enforcement of Support Act."

SECTION 28. Not to deprive circuit court of certain jurisdiction.—Nothing contained in this act shall be construed to deprive the circuit court of the exclusive jurisdiction to try those cases as prescribed by the Constitution, Article V, Section 1, and concurrent jurisdiction to try those offenses defined under Article V, Section 18.

SECTION 29. Saving clause.—Each of the provisions of this act are severable, and if any provision shall be declared to be invalid,

the remaining provisions shall not be affected but shall remain in full force and effect.

SECTION 30. Time effective.—This act shall take effect July 1, 1965.

Approved the 18th day of June, 1965.

(R661, H1828) **No. 442**

An Act To Authorize The Acquisition Of Disposal Areas For The Dumping Of Garbage Collected In Unincorporated Areas Of Oconee County And To Charge A Fee For Collection.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Oconee County—garbage disposal areas—fees.—The Oconee County Supervisor shall be authorized to acquire disposal areas designated by the county board of commissioners for the purpose of dumping refuse, garbage and trash collected in any unincorporated area in the county. All such disposal areas and collection of refuse, garbage and trash shall be maintained and operated under such rules and regulations as may be established by the Oconee County Health Department. The board of commissioners shall charge such reasonable fees as it may establish for the collection of refuse, garbage and trash.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R662, H1834) **No. 443**

An Act To Amend An Act Of 1965 Bearing Ratification No. 90, As Amended, Relating To The Beaufort County Economic Opportunity Commission, So As To Increase The Membership.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 3 of Act 63 of 1965 amended—members and compensation.—Section 3 of an act of 1965, bearing ratifica-

tion no. 90, as amended, is further amended by striking on line one the word "seventeen" and inserting "twenty" and by striking on line eight the word "seven" and inserting "ten". The section when amended shall read as follows:

"Section 3. The commission shall be composed of twenty members as follows: one shall be a member of the Beaufort County Development Commission, one shall be a member of the Beaufort Town Council, one shall be a member of the Port Royal Town Council, one shall be a member of the Bluffton Town Council, one shall be a member of the Beaufort County Board of Directors, (all of whom shall serve ex officio), and there shall be a member from each of the five townships and ten from the county at large. All members shall be residents of the county and shall be appointed by the Governor upon the recommendation of a majority of the county legislative delegation, including the Senator. The members of the commission shall serve without compensation."

SECTION 2. Section 4 of Act 63 of 1965 amended—terms and vacancies.—Section 4 of an act of 1965, bearing ratification no. 90, as amended, is further amended by striking on line six the word "eight" and inserting "eleven". The section when amended shall read as follows:

"Section 4. The terms of office of the members of the commission shall be for two years or until their successors are appointed and qualify. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor. Of the initial appointees, eleven shall serve for one year. No member who has served for a period of four consecutive years shall be eligible for reappointment for a period of one year following the termination of his previous term."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R664, H1898)

No. 444

An Act To Amend Section 14-400.692, Code Of Laws Of South Carolina, 1962, Relating To Building Permits In Beaufort County, So As To Increase The Fee For Such Permits.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 14-400.692 amended—form of permit—fee—issuance.—Section 14-400.692, Code of Laws of South Carolina, 1962, is amended on lines six and seven by striking "fifty cents" and inserting "one dollar" and on line nine by striking "fifty cents" and inserting "one dollar". The section when amended shall read as follows:

"Section 14-400.692. The permits required in this article shall be in such form or forms as may be prescribed by the Beaufort County board of directors, and the board may require sketches and blueprints to be furnished before a permit is issued if it be deemed practicable and necessary. Each magistrate in Beaufort County shall issue permits within his respective jurisdiction and for his services shall be entitled to charge a fee of one dollar, which shall be retained by him for his services rendered. The sheriff of Beaufort County may issue such building permits and may charge and retain a fee of one dollar for such issuance."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R667, H1887)

No. 445

An Act To Amend An Act Of 1965 Bearing Ratification No. 151, Relating To The Oconee County Economic Opportunity Commission, So As To Increase The Membership.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 3 of Act 105 of 1965 amended—members and compensation.—Section 3 of an Act of 1965 bearing Ratification No. 151 is amended on line one by striking "eleven" and inserting "seventeen" and on line two by striking "ten" and inserting "sixteen". The section when amended shall read as follows:

"Section 3. The commission shall be composed of seventeen members who shall be residents of the county. Sixteen of the members shall be appointed by the Governor upon recommendation of a majority of the county legislative delegation and one shall be a member of the county legislative delegation, ex officio, selected by a majority of the delegation. Members shall be selected on a basis fairly representative of all the residents of the county and shall serve without compensation."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R673, H1809)

No. 446

An Act To Create The Board Of Assessment Appeals For Pickens County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Board of Assessment Appeals created for Pickens County.—There is hereby created a Board of Assessment Appeals for Pickens County. The Board of Assessment Appeals shall consist of five members, one from each of the five school attendance areas of the county, to be appointed by the Governor upon the recommendation of a majority of the legislative delegation of Pickens County. They shall hold office for a term of two years and until their successors shall have been appointed and qualify. Any vacancy occurring in the board shall be filled for the unexpired term in the manner of the original appointment. They shall organize by electing one of their members chairman, one vice chairman and another secretary. The county auditor shall be an ex efficio member of the board.

SECTION 2. Appeals to board.—Any property owner aggrieved by any decision or action by the county board of equalization shall have the right to appeal to the Board of Assessment Appeals after giving ten days' written notice to the county auditor. The notice shall specify the grounds of the appeal. The board shall meet so often as is necessary to consider appeals, at the call of the county auditor, but no less often than once every two months on a specific date to be set

by the board. The board shall give notice of the time and place of such meetings to all appellants.

SECTION 3. Appeals to South Carolina Tax Commission.—All appeals from the Board of Assessment Appeals shall be to the South Carolina Tax Commission. Written notice shall be filed within ten days of the notice of the decision of the board to the South Carolina Tax Commission and with the Board of Assessment Appeals. The notice shall set forth the grounds of the appeal.

SECTION 4. Compensation of members.—Each member of the Board of Assessment Appeals shall be paid a per diem allowance and such mileage as is provided in the annual county appropriation act.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R674, H1810)

No. 447

An Act Authorizing The Creation Of A Finance Committee For The Board Of Trustees Of School District "A" In Pickens County And Defining Its Duties In Approving Claims For Payment Submitted Against The District.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Finance committee for Pickens County School District "A".—In School District "A" in Pickens County the district superintendent, chairman of the board of trustees, or in his absence the vice-chairman, and one additional trustee designated by the board of trustees shall comprise the Finance Committee of the Board of Trustees of School District "A".

SECTION 2. Submission of claims.—Notwithstanding any other provision of law, every claim submitted against School District "A" shall be sworn to and subscribed by the person presenting such claim as being correct and the Finance Committee is authorized by law to approve or disapprove such claim for payment. The Finance Committee shall furnish an itemized list of all claims approved or disapproved to each trustee at each regular meeting since the last regular meeting.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R675, H1826) **No. 448**

An Act To Provide For The Election Of A Mayor And Councilmen Of Windy Hill Beach In Horry County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Election of mayor and councilmen for Town of Windy Hill Beach.—In the Town of Windy Hill Beach in Horry County, the mayor and councilmen shall be elected for a term of two years in the municipal election which shall be held the second Tuesday in September of each year. Council shall be elected as follows: a mayor and two councilmen shall be elected in each odd numbered year for a term of two years, and two councilmen shall be elected in each even numbered year for a term of two years; *provided,* that in the election to be held the second Tuesday in September, 1965, four councilmen shall be elected. The two candidates for councilmen receiving the most votes shall serve for a term of two years and the next two candidates receiving the most votes shall serve for a term of one year.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R682, H1822) **No. 449**

An Act To Amend Section 27-94, Code Of Laws Of South Carolina, 1962, Relating To Fees Of The Clerk Of Court Of Richland County, So As To Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 27-94 amended—clerk of court fees for Richland County.—Section 27-94 of the 1962 Code is amended to read as follows:

"Section 27-94. The fees and commissions of the clerk of the circuit court of Richland County shall be as set forth in this section, except that if the fee for any service is not set forth in this section, then such fee shall be as provided by general law, (a) for recording renunciations of dower, as separate instruments, affidavits, satisfactions and assignments of mortgages, one dollar for the first three pages and fifty cents for each page thereafter; (b) for recording releases, subordinations, and postponements of mortgages, two dollars for the first three pages and fifty cents for each page thereafter; (c) for the recording of any other instrument in the books of deeds and mortgages, three dollars for the first three pages and fifty cents for each page thereafter; (d) for the recording of plats, average size, two dollars, large size, five dollars; (e) for the recording of lis pendens, mechanics' liens, birth certificates and licenses, two dollars, for furnishing copies of birth certificates, one dollar; (f) for the recording of chattel mortgages, and conditional sales contracts, two dollars for the first three pages, and fifty cents for each page thereafter; (g) for the recording of satisfactions and assignments of chattel mortgages, and conditional sales contracts, one dollar; (h) for recording charters and amendments to charters, three dollars; (i) for recording notary certificates, two dollars; (j) for the filing and docketing of any civil action in the court of common pleas or the Richland County Court, and all filing subsequent thereto by the plaintiff, five dollars, except that where the money judgment sought in the Richland County Court does not exceed five hundred dollars, the fee shall be three dollars; (k) for the filing of the first responsive pleading by the defendant, and all filing subsequent thereto by the defendant, five dollars, except that where the money judgment sought by the plaintiff and any counterclaim asserted by the defendant in the Richland County Court does not exceed five hundred dollars, the fee shall be three dollars; (l) for a judgment roll in any default matter, five dollars, except that where the money judgment sought in the Richland County Court does not exceed five hundred dollars, the fee shall be three dollars; (m) for any pleading not filed within the time prescribed by Section 10-470, Code of Laws of South Carolina, 1962, two dollars in addition to any other fee prescribed herein."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R684, H1827)

No. 450

An Act To Exempt Certain Property In The City Of Charleston, Owned By The Charleston Library Society, From All County, City And School Taxes.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Property of Charleston Library Society exempt from taxes.—The property owned by the Charleston Library Society, known as 162 King Street in the City of Charleston, shall be exempt from all county, school and city taxes so long as it is used for the purpose of the Society.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R685, H1829)

No. 451

An Act To Amend Section 10-1545, Code Of Laws Of South Carolina, 1962, Relating To The Indexing Of All Judgments In Charleston County, So As To Provide A Method Of Indexing The Satisfied And Unsatisfied Money Judgments.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 10-1545 amended—indexing of judgments in Charleston County.—Section 10-1545, Code of Laws of South Carolina, 1962, is amended by striking it out and inserting in lieu thereof the following:

"Section 10-1545. The Clerk of Court of Charleston County shall keep among the records of the court an index for the entry of money judgments. The judgment index shall consist of an unsatisfied judgment index and a satisfied judgment index which shall be recorded on cards of a quality resistant to wear and tear and kept in metal trays or filing drawers and arranged so that the cards cannot be removed without unlocking. The judgment indices shall be in alphabetical order arranged by the name of each defendant, and each index card shall show the names of parties, date of judgment, amount of judgment, the attorneys of record and the file number of the filing system used by the clerk. Upon full satisfaction of any judg-

ment, the index card for such judgment shall be so marked and transferred to the satisfied judgment index. Not less than once each year, the clerk shall remove from both the unsatisfied and the satisfied judgment indices and destroy the cards for those judgments which have been filed for a period in excess of ten years. All existing unsatisfied judgment indices shall be incorporated into the new unsatisfied judgment index. The satisfied judgments in the old indices less than ten years old need not be filed in the new satisfied judgment index. All judgments in excess of ten years shall be omitted from the new judgment index. All old indices for judgments over ten years old may be destroyed by the clerk. The unsatisfied judgment index shall be the official judgment index and shall constitute notice of judgment lien as of January 1, 1966."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R687, H1842)

No. 452

An Act To Authorize The Town Of Iva In Anderson County To Contract To Furnish Water To Any Person Within Or Without The Town For A Period Not To Exceed Fifty Years, And To Repeal Act No. 686 Of 1962 Which Created The Starr-Iva Water Authority In Anderson County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Town of Iva may furnish water to certain persons.—The Town of Iva may, through its proper officials, enter into a contract with any person, within or without its corporate limits, to furnish such person water, without sewage disposal facilities, upon such terms, rates, and charges as may be fixed by contract between the parties, when in the judgment of its officials it is for the best interest of the municipality to do so. No such contract shall be for a longer period than fifty years, but any such contract may be renewed from time to time for periods not exceeding fifty years.

SECTION 2. Act 686 of 1962 repealed.—Act No. 686 of 1962 is repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R692, H1893) **No. 453**

An Act To Create The Surplus Property Commission For Jasper County And To Define Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Surplus Property Commission created for Jasper County.—There is hereby created the Surplus Property Commission for Jasper County, which shall be composed of five members who shall serve ex officio. They shall be appointed by the legislative delegation as follows: one from the Jasper County Development Board, one from the County Chamber of Commerce, one from the County Board of Commissioners, one from the County Board of Education and one from the Farm Bureau. The members shall serve for terms of two years and until their successors are appointed and qualify.

SECTION 2. Duties—report.—The commission shall have control and prescribe the uses to which all real and personal surplus property of the county shall be utilized. The commission shall file an annual report with the legislative delegation of the county.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R694, H1900) **No. 454**

An Act To Provide For The Terms Of Office For The Mayor And Aldermen In The Town Of City View In Greenville County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Terms of mayor and aldermen for Town of City View.—Notwithstanding the provisions of Section 47-311, Code of

Laws of South Carolina, 1962, the governing body of the Town of City View in Greenville County shall consist of a mayor and eight aldermen, who shall be elected by the qualified electors of the town at large. They shall serve for terms of four years and until their successors are elected and qualify. At the first election, subsequent to the effective date of this act, the four aldermen receiving the highest number of votes shall be elected for regular terms of four years and the four receiving the next highest number of votes shall be elected to serve for terms of two years; and thereafter aldermen shall be elected for terms of four years as their respective terms of office expire.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R696, S415) **No. 455**

An Act To Amend An Act Of 1965 Bearing Ratification Number 270, Relating To The Williamsburg County Economic Opportunity Commission, So As To Increase The Membership And Establish The Terms Of The Members.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 3 of Act 191 of 1965 amended—members and compensation.—Section 3 of an act of 1965 bearing ratification number 270 is amended by striking on line one the word "eleven" and inserting the word "seventeen". The section when amended shall read as follows:

"Section 3. The commission shall be composed of seventeen members who shall be appointed by the Governor upon the recommendation of the legislative delegation. The members of the commission shall serve without compensation."

SECTION 2. Section 4 of Act 191 of 1965 amended—terms and vacancies.—Section 4 of an act of 1965 bearing ratification number 270 is amended by striking on the last line the word "five" and insert the word "eight". The section when amended shall read as follows:

"Section 4. The terms of office of the members of the commission shall be for two years or until their successors are appointed and qualify. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor. Of the initial appointees, eight shall serve for one year."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R698, S429)

No. 456

An Act To Amend Section 14-426, Code Of Laws Of South Carolina, 1962, Relating To Counties Excepted From The Publication Of List Of Claims Audited, So As To Include Richland County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 14-426 amended—Section 14-425 not applicable to certain counties.—Section 14-426, Code of Laws of South Carolina, 1962, is amended by inserting after the word "Pickens," on line five the word "Richland," so that when amended the section shall read as follows:

"Section 14-426. The provisions of Section 14-425 shall not apply to the counties of Anderson, Bamberg, Barnwell, Berkeley, Charleston, Cherokee, Chester, Chesterfield, Georgetown, Greenville, Greenwood, Hampton, Horry, Jasper, Kershaw, Lancaster, Laurens, Lee, Lexington, Marion, Marlboro, Oconee, Pickens, Richland, Spartanburg, Union and York."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R700, S223)

No. 457

An Act To Create The Edgefield County Economic Opportunity Commission And To Prescribe Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Edgefield County Economic Opportunity Commission created.—There is hereby created the Edgefield County Economic Opportunity Commission.

SECTION 2. To be corporate body.—The commission is hereby declared to be a body politic and corporate and shall exercise and enjoy all the rights and privileges of such.

SECTION 3. Members and compensation.—The commission shall be composed of seven members who shall be appointed by the Governor upon the recommendation of the legislative delegation. The members of the commission shall serve without compensation.

SECTION 4. Terms and vacancies.—The terms of office of the members of the commission shall be for two years and until their successors are appointed and qualify. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor. Of the initial appointees, two shall serve for one year.

SECTION 5. Officers.—Immediately upon the appointment of the commission, it shall organize by electing from its membership a chairman, a vice-chairman and a secretary-treasurer. The commission shall file a record of its members in the office of the Clerk of Court for Edgefield County.

SECTION 6. Powers and duties.—The commission shall be responsible for the improvement of communication and cooperation among existing and future programs and the administration of one or more new programs designed to improve the health, education, welfare, housing or employment of the residents of Edgefield County. To this end the commission shall be empowered as follows:

(a) To sue and be sued;

(b) To adopt, use and alter a corporate seal;

(c) To make bylaws for the management and regulation of its affairs;

(d) To appoint agents, employees and servants, to prescribe their duties, to fix their compensation, to determine if and to what extent they shall be bonded for the faithful performance of their duties;

(e) To undertake the improvement of communication and cooperation among existing and future programs administered by federal, state, county and municipal governmental agencies and private nonprofit organizations designed to improve the health, education, welfare, housing or employment of the county residents and, with the consent of such agencies and organizations, to coordinate the programs;

(f) To enter into contracts and agreements for performance of its programs and duties with federal, state, county and municipal governmental agencies and subdivisions thereof, and private nonprofit organizations;

(g) To accept and receive funds for the performance of its duties in the administration of its programs from such governmental agencies and subdivisions thereof and private nonprofit organizations, as well as any other sources;

(h) To designate an executive committee from among the members of the commission and, from time to time, to appoint one or more subcommittees composed of residents of Edgefield County to advise and assist in the administration of its program and the performance of its duties;

(i) To maintain adequate accounts and records of its activities, receipts and expenses in conformance with requirements of any contract or agreement with any federal, state, county or municipal governmental agency, or subdivision thereof, or any private nonprofit organizations; and

(j) To acquire, own or hold in trust, preserve, restore, maintain or lease property, facilities and equipment reasonably necessary for the performance of its duties and the administration of its programs.

SECTION 7. Exempt from taxes.—All property of the commission shall be exempt from all ad valorem taxes levied by Edgefield County or any municipality therein, or any division, subdivision or agency thereof, directly or indirectly.

SECTION 8. Fiscal year and audit.—The commission shall conduct its affairs on the fiscal year basis employed by Edgefield County. As shortly after the close of its fiscal year as may be practicable, an audit of its affairs shall be made by a certified public accountant in good standing, to be designated by the commission. A copy of such

audit, incorporated into an annual report of the commission, shall be filed with the Edgefield County Legislative Delegation.

SECTION 9. Contracts not to be impaired.—The right to alter, amend or rescind this act is hereby expressly reserved and disclosed, but no such amendment or repeal shall operate to impair the operation of any contract otherwise made by the authority pursuant to any power conferred by this act.

SECTION 10. When action may be taken.—Any action required of the commission may be taken at any regular or special meeting, and at such meeting a majority of the members shall constitute a quorum.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R701, S390)

No. 458

An Act To Amend The Code Of Laws Of South Carolina, 1962, By Adding Sections 14-1198.8, 14-1198.9, 14-1198.10, 14-1198.11 And 14-1198.12, So As To Provide Annual Salaries In Lieu Of Fees To Certain Officers In Charleston County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Sections 14-1198.8 through 14-1198.12 added—certain officials of Charleston County may receive salaries in lieu of fees.—The Code of Laws of South Carolina, 1962, is amended by adding Sections 14-1198.8, 14-1198.9, 14-1198.10, 14-1198.11 and 14-1198.12 to read as follows:

"Section 14-1198.8. Notwithstanding the provisions of Article 4, Chapter 26, Title 14, upon the expiration of the present term of office of the county sheriff, clerk of court, county treasurer, probate judge, master in equity, register of mesne conveyances, county auditor and the county coroner, such officers shall be paid the following annual salaries to be appropriated by county council:

County Coroner	$ 9,000.00
Register of Mesne Conveyances	12,500.00
County Auditor	12,500.00
County Treasurer	14,500.00

County Sheriff	14,500.00
Clerk of Court	15,000.00
Probate Judge	17,000.00
Master in Equity	17,000.00

After the commencement of such annual salary, the fees and costs required by law to be collected by such county officers shall be paid by the collecting officer to the county treasurer for deposit to the general fund of the county.

"Section 14-1198.9. All employees of any such county officer shall receive an annual salary, commencing with the expiration of the current term of such county officer, as shall be appropriated by county council.

"Section 14-1198.10. The county treasurer shall keep and make public a record of all fees and costs paid to him by each county officer and shall render an annual statement to each county officer and to county council.

"Section 14-1198.11. The annual salaries prescribed by Section 14-1198.8 shall constitute the compensation for each such county officer. Any county officer after the expiration of his present term of office who shall receive any compensation, commissions or fees from the State or any agency thereof as a result of his office shall within five days report in writing to the county council the receipt of such compensation, commissions or fees. The annual salary of such county officer as provided in Section 14-1198.8 shall be reduced to the extent of such compensation, commissions or fees for the year in which received.

"Section 14-1198.12. Beginning with the next county fiscal year any such county officer may receive the salary provided by Section 14-1198.8 in lieu of all fees, commissions and other compensation; *provided,* county council is notified in writing prior to June 15, 1965, whereupon such officer and his employees shall become subject to the provisions of this article on July 1, 1965. Such option shall not be revocable by such officer or his successor during the current term of office."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R704, S431)

No. 459

An Act To Provide For Certain Magistrates' Fees In Chesterfield County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Magistrates' fees for Chesterfield County.—The following fees and commissions may be charged by the magistrates of Chesterfield County for official services performed:

(a) Preparation and disposition of claim and delivery cases, $10.00;

(b) Preparation and disposition of attachment proceedings, $10.00;

(c) Preparation and disposition of all civil suits for debts, $10.00; and

(d) Preparation and disposition of notice to show cause to vacate premises and ejectment proceedings, $10.00.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R706, S433)

No. 460

An Act To Confer County-Wide Jurisdiction Upon The Magistrates Of Abbeville County, And To Repeal Section 43-501, Code Of Laws Of South Carolina, 1962, Relating To The Diamond Hill Township Magistrate And Constable In Abbeville County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Abbeville County magistrates—number and jurisdiction.—There shall be six magistrates in Abbeville County, all of whom shall have county-wide jurisdiction.

SECTION 2. Section 43-501 repealed.—Section 43-501, Code of Laws of South Carolina, 1962, is hereby repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R707, S428)

No. 461

An Act To Amend An Act Of 1965, Bearing Ratification No. 150, Relating To The Spartanburg County Economic Opportunity Commission, So As To Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 1 of Act 104 of 1965 amended—Spartanburg City-County Economic Opportunity Commission created.—Section 1 of an Act of 1965 bearing Ratification No. 150 is amended to read as follows:

"Section 1. There is hereby created the Spartanburg City-County Economic Opportunity Commission."

SECTION 2. Section 3 of Act 104 of 1965 amended—members and compensation.—Section 3 of an Act of 1965, bearing Ratification No. 150 is amended to read as follows:

"Section 3. The commission shall be composed of not less than 21 members, two-thirds of whom shall be appointed by the Governor upon the recommendation of a majority of the Legislative Delegation and one-third of whom shall be appointed by the Governor upon the recommendation of the Mayor and City Council for the City of Spartanburg. The maximum number of members shall be determined from time to time by a majority vote of the County Legislative Delegation and Spartanburg City Council meeting jointly for such purpose at a meeting to be called by the Senator, the results of which vote shall be forwarded to and filed by the Secretary of State and shall establish the maximum number to be appointed on such Commission. The members of the Commission shall serve without compensation."

SECTION 3. Section 4 of Act 104 of 1965 amended—terms and vacancies.—Section 4 of an Act of 1965 bearing Ratification No. 150 is amended to read as follows:

"Section 4. The terms of office of the members of the commission shall be for two years or until their successors are appointed and qualify. In the event of a vacancy in the membership of the commission, a successor for the unexpired portion of the term shall be appointed in the same manner as his predecessor. Of the initial appointees, one-half shall serve for one year, except in the case of an odd number, in which event one less than one-half shall serve for one year."

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R710, S409) **No. 462**

An Act To Authorize The Board Of Registration Of Colleton County To Employ Two Deputy Registrars As Assistants If Necessary.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Colleton County Board of Registration may employ deputy registrars.—The County Board of Registration of Colleton County is hereby authorized to employ two deputy registrars as assistants to the regular members of the Board of Registration. They shall be paid at the same rate of pay as provided by law for members of boards of registration.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R718, H1914) **No. 463**

An Act To Create The Civil And Domestic Relations Court of Greenwood County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Definitions.—When used in this act, unless the context otherwise requires:

(1) *"Court"* means the Civil and Domestic Relations Court of Greenwood County;

(2) *"Judge"* means the judge of the Civil and Domestic Relations Court of Greenwood County;

(3) *"Civil Division"* means the civil division of the Civil and Domestic Relations Court of Greenwood County;

(4) *"Domestic Relations Division"* means the Domestic Relations Division of the Civil and Domestic Relations Court of Greenwood County.

SECTION 2. Civil and Domestic Relations Court of Greenwood County established.—The Civil and Domestic Relations Court of Greenwood County is hereby established for Greenwood County with such jurisdiction, power and authority as is herein provided. The court shall have a seal inscribed with the words: "The Civil and Domestic Relations Court of Greenwood County."

SECTION 3. Court to have two divisions.—The court shall be organized into two divisions. The first division shall be known as the Civil Division and the second division known as the Domestic Relations Division.

SECTION 4. Domestic Relations Division—jurisdiction and procedure.—The Domestic Relations Division shall exercise all jurisdiction, power and authority as is now being exercised by the Juvenile and Domestic Relations Court of Greenwood County. In the Domestic Relations Division the procedure may be informal and the judge shall use his discretion in determining the degree of formality and whether or not a complete transcript of the testimony and proceedings shall be taken.

SECTION 5. Civil division.—The Civil Division shall be a court of record. The same presumption in favor of its jurisdiction and the validity of its judgments and decrees shall hold as in the case of jurisdiction, judgments and decrees of the circuit courts.

SECTION 6. Judge—appointment and term—not to practice law.—The judge of the court shall be an attorney at law with at least five years active practice of law in this State, and a resident of Greenwood County. The present judge of the Juvenile and Domestic Relations Court shall be the judge of the Civil and Domestic Relations Court of Greenwood County and shall serve for a term of four years and until his successor shall have been appointed and qualified. All succeeding judges shall be appointed by the Governor upon the written recommendation of a majority of the members of the Greenwood County Legislative Delegation. The Greenwood County Legislative Delegation shall recommend to the Governor a person selected from a list of three persons submitted to it by the Greenwood County Bar Association, and three persons submitted to it by the advisory

board of the present Juvenile and Domestic Relations Court. The term of office shall be for four years and until a successor shall have been appointed and qualified.

The judge of the Civil and Domestic Relations Court shall not engage in the practice of law, and shall maintain an office in the Greenwood County Courthouse. The judge so appointed shall take such oath as may be prescribed by the resident judge of the Eighth Judicial Circuit.

SECTION 7. Special judge.—In case of the absence or inability to act of the judge at the time fixed for holding the terms of the court or in case of his disqualification of the trial of any case in the court, the Governor may, upon notice of the judge or a majority of the members of the Greenwood County Bar Association, appoint some other suitable person, being an attorney at law, to hold such term or terms of the court as may be designated by the Governor or to try any special case, as special judge. Any such special judge shall be entitled to the same per diem and mileage as special circuit judges are allowed by law.

SECTION 8. Clerk of court.—The clerk of the circuit court shall be ex officio clerk of the Civil Division of the court and shall keep such calendars, minutes and records of the court and the cases therein pending and attend and perform duties as the clerk thereof as required of him by law as clerk of the circuit court. The clerk may appoint the stenographer of Civil and Domestic Relations Court of Greenwood County to act as his deputy clerk and perform the duties specified of him by this act.

SECTION 9. Duties of sheriff—bailiffs.—The sheriff of the county or his deputy shall attend all sessions of the court, when so ordered by the judge thereof, and shall be subject to the orders thereof. He shall execute the orders, writs and mandates of the court as required by law in reference to the circuit court. The sheriff shall appoint such bailiffs as may be necessary upon the approval of the judge.

SECTION 10. Stenographer.—The county shall provide a stenographer for the court upon recommendation of the judge, who shall attend all sessions of the court and perform the duties in connection therewith that the stenographer in the circuit court performs. The stenographer shall furnish transcripts of the proceedings upon request of the parties litigant or their attorneys, and shall be entitled to re-

ceive compensation therefor at the rate provided for by statute for circuit court reporters, for all transcripts so furnished, which compensation shall be paid by the litigant requesting the same.

SECTION 11. Salaries—Greenwood County not liable for certain claims.—Salaries of the officers of the court shall be in such amounts as may be annually fixed in the Greenwood County appropriation act. Greenwood County shall not be liable for any claim or claims incurred by any officer of the court except as provided in this act or by any other act of the General Assembly.

SECTION 12. Terms.—The judge shall fix the terms for the Civil Division as in his discretion may be necessary to adequately dispose of cases on the calendar. He shall, however, hold four regular terms each year, on the third Monday in January, the first Monday in April, the fourth Monday in August and the first Monday in December, and so many additional terms as may be necessary, unless a majority of the members of the Greenwood County Bar Association having cases on the court docket for trial at that term of court at a regular meeting, deems any one session unnecessary. In no event shall any term of the court be fixed that will conflict with the regular term of the circuit court for the county, or term of the United States District Court for the Greenwood Division.

SECTION 13. Civil jurisdiction.—The Civil and Domestic Relations Court of Greenwood County shall have concurrent jurisdiction with the Court of Common Pleas in all civil cases and special proceedings, both at law and in equity, in which the amount demanded in the complaint does not exceed the sum of five thousand dollars or in which the value of the property does not exceed five thousand dollars. The court shall have concurrent jurisdiction with the Court of Common Pleas of the county in actions relating to paternity of children, annulment of marriages and change of names. The court shall also have the jurisdiction and power previously exercised by the Juvenile and Domestic Relations Court of Greenwood County pursuant to Chapter 9, Sections 15-1291 through 15-1291.30 of the 1962 Code, as amended. The court shall not have jurisdiction in cases involving foreclosures of mortgages and partitions of real estate. When in any case before the court a defendant pleads a counterclaim, recoupment or set off for more than five thousand dollars, the judge shall, with the consent of the parties' litigant transfer the case to the Court of Common Pleas for trial; if the parties' litigant do not consent, then the counterclaim

shall be dismissed without prejudice and trial shall be held on the original action.

SECTION 14. Criminal jurisdiction.—The Civil and Domestic Relations Court of Greenwood County shall have jurisdiction to grant and hold a preliminary investigation upon a warrant charging a crime if such hearing shall be demanded in writing by the defendant at least ten days before the commencing of the next court of general sessions, at which examination the defendant may cross-examine the state's witnesses in person or by counsel. The court shall have no other criminal jurisdiction except to hear appeals from Magistrates' Court and the criminal jurisdiction previously exercised by the Juvenile and Domestic Relations Court of Greenwood County.

SECTION 15. Appellate jurisdiction—jurisdiction of judge.—The Civil and Domestic Relations Court of Greenwood County shall have concurrent jurisdiction with the Court of Common Pleas to hear and determine all appeals from judgments, both civil and criminal, rendered by the Magistrates' Courts. The proceedings on such appeals shall be the same as now provided for appeals in such cases from the Magistrates' Courts to the Court of Common Pleas.

In all cases and special proceedings within the jurisdiction of the court and pending therein, the judge of the court shall have the same jurisdiction, both in open court and at chambers, as is possessed by the circuit judges over cases pending in the circuit courts over which they are presiding or in the circuits in which they are residents. He shall also have the authority and power as now exercised by judges of the circuit court to hear and punish persons in contempt proceedings.

SECTION 16. Advisory board.—The advisory board as provided for in Chapter 9, Section 15-1291.3 of the 1962 Code, shall remain in existence with the same composition, duties, terms and manner of appointments as provided for in that section, to assist and advise the Domestic Relations Division of the Court.

SECTION 17. Judge may change place of trial.—The judge may change the place of trial of any case pending in his court to the circuit court in another county in the same manner as provided by law in respect to changing the place of trial in cases pending in the circuit court.

SECTION 18. Application of general laws, rules of procedure, etc.—The general laws, statutory provisions and rules of court, form

of proceedings and rules of procedure, practice and evidence applicable generally to the circuit courts of this State and the trials of cases therein shall apply to the court established by this chapter.

SECTION 19. Jury commissioners and jury list.—The board of jury commissioners as constituted by law in the county for the circuit court shall constitute the board of jury commissioners for the Civil Division of the court established in this chapter, and such commissioners shall, annually during the month of December of each year, proceed to prepare a jury list for the court in the manner and under the provisions relating to the preparation of the jury list for the circuit court and the jury box used for the circuit court shall also be used for the Civil Division of the Civil and Domestic Relations Court of Greenwood County.

SECTION 20. Drawing and summoning of jurors.—The commissioners shall, at least fifteen days before the convening of the court and after five days' notice of such drawing from the jury box, which may be given by either posting notice on the courthouse door or by publication in a newspaper published in the county, draw a panel of petit jurors, and the clerk of court shall immediately issue to the sheriff a venire containing the names of the persons thus drawn as petit jurors for the court. Such venire shall be returned at such time as may be named, and the persons so served shall be the jurors for the court. The law relating to the qualifications, drawing and summoning jurors of the circuit court shall apply, except as herein otherwise provided. Not more than thirty persons shall be drawn and summoned to attend at the same time at any session of the court, unless the court shall otherwise order.

SECTION 21. Service of jurors.—Jurors drawn and summoned shall appear and attend upon the sessions of the court for which they are summoned until discharged by the judge thereof. Service as a juror in the court shall not be held to exempt a juror from service as such in the circuit court in the same year, nor shall service as a juror in the circuit court be held to exempt a juror from service as such in the court in the same year. A juror shall not be required to serve in such court for a full week more than once in the same year, except that when the business of the court is not completed during the week for which jurors are drawn such jurors may be held for service at a later term.

SECTION 22. Lists of jurors to be furnished parties—strikes—number of jurors.—In the trial of all civil actions at law in the court and in the trial of all issues ordered to be framed by the judge in equity cases in the court the clerk shall furnish the parties or their attorneys with a list of fourteen of the jurors, to be drawn and selected by ballot from the whole number of jurors who are in attendance, the names on the list to be numbered from one to fourteen. From this list the parties or their attorneys shall alternately strike by number, the plaintiff striking first, until there shall be left but six names, which shall constitute the jury to try the case or issue. Objections for cause shall be allowed and vacancies in the panel filled in the manner now provided in the court of common pleas. A jury for the trial of cases in the court shall consist of six.

SECTION 23. Certain actions not required to be referred to master.—Actions in which reference to a master would, under the law, otherwise be necessary may be heard and determined by the judge of the court either in term time or at chambers, without referring them to the master, upon testimony taken before the judge, and likewise in all cases when a jury trial may not be necessary or required.

SECTION 24. Costs and fees.—All costs and disbursements allowed the prevailing party and all costs and fees allowed officers of the court in actions in the Court of Common Pleas shall be allowed in actions in the Civil and Domestic Relations Court.

SECTION 25. Compensation of jurors and witnesses.—Jurors in attendance upon the sessions of the court shall receive as compensation for their services the same per diem and mileage as jurors in the circuit court. Witnesses in attendance upon the court shall receive the same compensation as witnesses in attendance upon the circuit court.

SECTION 26. Judgment rolls—recording and indexing of judgments.—In all civil cases tried in the Civil and Domestic Relations Court the clerk shall make up and file a judgment roll along with and in the same manner as if the judgment had been rendered in the Court of Common Pleas. He shall also enter the judgment in the abstracts of judgments of the Court of Common Pleas as if such judgment were a judgment of the Court of Common Pleas and he shall index such judgments in the indices of judgments of the Court

of Common Pleas in the same manner as if such judgments were judgments of the Court of Common Pleas.

SECTION 27. Appeals.—In all civil actions and special proceedings of which the court shall have jurisdiction the right of appeal shall be to the Supreme Court, in the same manner and pursuant to the same rules, practice and procedure as now govern appeals from circuit courts.

SECTION 28. Transfer of cases.—Cases pending in the Court of Common Pleas at the effective date of this act may be transferred to the Civil and Domestic Relations Court provided they meet the jurisdictional requirements.

SECTION 29. Time effective.—This act shall become effective September 1, 1965.

Approved the 19th day of June, 1965.

(R726, H1719)

No. 464

An Act To Amend Section 65-3572, As Amended, And Section 65-3573, Code Of Laws Of South Carolina, 1962, Relating To Board Of Tax Appeals And Equalization For Marlboro County, So As To Provide For Employment Of Assistant Tax Collectors And To Change The Number Of Members Of The Board And Further Define Their Qualifications.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 65-3572 amended—county board of assessors and assistant assessors for Marlboro County.—Section 65-3572, as amended, Code of Laws of South Carolina, 1962, is further amended by striking the word "appoint" on line nine and inserting in lieu thereof the word "employ" so that when amended the section shall read as follows:

"Section 65-3572. In Marlboro County the duties relative to the valuation, assessment, and return of properties for taxation are hereby devolved upon a board to be known as the County Board of Tax Assessors, which shall be composed of five members, with one member being from each of the five school administrative areas of Marlboro County and all of them shall be qualified electors of the county. The

Board of Tax Assessors shall be appointed by the Governor upon the recommendation of a majority of the county legislative delegation and shall serve for a term of two years. The board shall employ assistant tax assessors in such number and for such length of service as is authorized by the legislative delegation. The compensation and expenses of the Board of Tax Assessors and assistant tax assessors shall be such as is provided therefor by the legislative delegation.

The Board of Tax Assessors, or its designated representatives, shall inspect every piece of real property in the county and fairly and impartially assess the value thereof for each year in which real estate is, by law, required to be returned for taxation, and in all other years, the board shall inspect and assess the value of all real estate and improvements thereon not previously assessed for taxation and make such changes, by way of increase or decrease, in the valuation of any taxable property as returned by any person or as fixed by the county auditor, as may in its judgment be necessary or proper to conform with the methods, policies, rules, and regulations of the board, and from time to time, whenever in its judgment it shall appear necessary, reassess any or all taxable property so as to reflect its proper valuation.

The board shall meet at such times as it may be called together by the chairman and shall meet at other times as may be deemed necessary upon the call of any three members. The Auditor of Marlboro County is hereby authorized and directed to call such meetings as may be necessary to insure a proper consideration of matters pending before the board.

Nothing contained herein shall be construed so as to relieve the county auditor or any other official of any duties now prescribed by law."

SECTION 2. Section 65-3573 amended—board of tax appeals and equalization created for Marlboro County.—Section 65-3573, Code of Laws of South Carolina, 1962, is amended to read as follows:

"Section 65-3573. There is hereby created a board of tax appeals and equalization for Marlboro County, to be composed of three members. The members shall be appointed by the Governor, upon recommendation of the legislative delegation of the county. The appointees shall serve for a period of four years and until their successors shall have been appointed. Any vacancies occurring during the term of any member shall be filled, for the unexpired term only, in the same manner in which original appointments are made. The compensation of

the members of the board shall be a per diem as provided by the legislative delegation, which shall be paid from the general fund of the county. The members shall elect a chairman and secretary from their own membership."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R728, H1902)

No. 465

An Act To Amend Sections 14-1902 And 14-1904, Code Of Laws Of South Carolina, 1962, Relating To The Fairfield County Supervisor And County Board Of Commissioners, So As To Increase Their Terms Of Office.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 14-1902 amended—election and term of supervisor.—Section 14-1902, Code of Laws of South Carolina 1962, is amended by striking "1962" on line one and inserting in lieu thereof "1966", and by striking "two" on line two and inserting in lieu thereof "four". The section when amended shall read as follows:

"Section 14-1902. At the general election of 1966, and every four years thereafter, there shall be elected a supervisor of the county, whose term shall begin at the expiration of the term of the incumbent."

SECTION 2. Section 14-1904 amended—board of county commissioners—number and terms.—Section 14-1904, Code of Laws of South Carolina, 1962, is amended by striking "two" on line three and inserting in lieu thereof "four". The section when amended shall read as follows:

"Section 14-1904. The board of county commissioners of the county shall consist of five members, each of whom shall be a qualified elector, whose terms of office shall be for four years and until their successors shall have been elected and qualified."

SECTION 3. Terms of members to be elected in 1966.—The commissioners to be elected in 1966 pursuant to the provisions of this act shall be elected for terms of four years.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of June, 1965.

(R731, H1920)

No. 466

An Act To Change The Voting Place Of Electors Of Greenwood County, Ward 6, Precinct 6.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Where residents of Precinct 6 to vote.—Electors of Greenwood County, Ward 6, Precinct 6, who formerly voted at the county courthouse and whose registration certificates show the courthouse as their voting place and who are residents of Precinct 6 shall now vote, regardless of their prior designation, at Mathews Community Center.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of June, 1965.

(R708, S430)

No. 467

An Act To Authorize School Districts In Richland County To Purchase Insurance Annuity Contracts For Their Employees.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Richland County school districts may purchase insurance annuities for their employees.—The various school districts of Richland County are hereby authorized to enter into agreements to pay, at the request of their employees, a part of the incomes of such employees, not to exceed the exclusion allowance provided in Section 403 (b) (2) of the Internal Revenue Code of the United States for the purchase of annuity contracts from insurers licensed to do business in this State.

SECTION 2. Not to affect certain code sections.—The provisions of this act shall not affect Sections 61-1 (16), 61-62, 61-80, as

amended, or Sections 61-226 (1) and 61-235, Code of Laws of South Carolina, 1962.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of June, 1965.

PART II

Local and Temporary

(R485, S30)

No. 468

A Joint Resolution Proposing An Amendment To Section 1 Of Article XVI Of The Constitution Of This State Relating To Amendments, So As To Provide That Constitutional Amendments Proposing A Change In Bonded Debt Limitations By A County Or Any Of Its Political Subdivisions Shall Be Voted On By The Qualified Electors Of The County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Amendment to Article XVI, Section 1, State Constitution—proposed—amendments concerning bonded debt to be voted on only by electors of county concerned.—There is proposed the following amendment to Section 1 of Article XVI of the Constitution of this State: add at the end thereof the following: "*Provided,* that a proposed amendment providing for a change in the bonded debt limitation of a county or any of its political subdivisions shall be voted on only by the qualified electors of such county.", so that when amended the section shall read as follows:

"Section 1. Any amendment or amendments to this Constitution may be proposed in the Senate or House of Representatives. If the same be agreed to by two-thirds of the members elected to each House, such amendment or amendments shall be entered on the Journals respectively, with the yeas and nays taken thereon; and the same shall be submitted to the qualified electors of the State, at the next general election thereafter for Representatives; and if a majority of the electors qualified to vote for members of the General Assembly, voting thereon, shall vote in favor of such amendment or amendments, and a majority of each branch of the next General Assembly shall, after such an election, and before another, ratify the same amendment or amendments, by yeas and nays, the same shall become part of the Constitution: *Provided,* That such amendment or amendments shall have been read three times, on three several days, in each House. *Provided,* that a proposed amendment providing for a change in the bonded debt limitation of a county or any of its political subdivisions shall be voted on only by the qualified electors of such county."

SECTION 2. Submission to electors.—The proposed amendment shall be submitted to the qualified electors at the next general election for representatives. Ballots shall be provided at the various voting precincts with the following words printed or written thereon: "Shall Section 1 of Article XVI of the Constitution of this State be amended so as to limit the vote on constitutional amendments proposing a change in the bonded debt limitation of a county or any of its political subdivisions to the qualified electors of such county?

In favor of the amendment ☐
Opposed to the amendment ☐

Those voting in favor of the amendment shall deposit a ballot with a check or cross mark in the square after the words 'In favor of the amendment', and those voting against the amendment shall deposit a ballot with a check or cross mark in the square after the words 'Opposed to the amendment'."

Ratified the 28th day of May, 1965.

(R39, H1051) **No. 469**

An Act To Amend Act No. 313 Of The Acts And Joint Resolutions Of The General Assembly Of South Carolina, 1959, Creating A Commission To Commemorate The One Hundredth Anniversary Of The Participation By The State In The War Between The States, So As To Add To The Membership Of The Commission The Division President Of The South Carolina Division Of The United Daughters Of The Confederacy And The Division Commander Of The South Carolina Division Of The Sons Of Confederate Veterans.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 1 of Act 313 of 1959 amended—S. C. Confederate War Centennial Commission established.—Act No. 313 of 1959 is amended by striking out Section 1 and inserting in lieu thereof the following:

"Section 1. In order to provide for appropriate observances and the coordination of ceremonies, there is hereby established a commission to be known as the South Carolina Confederate War Centennial Commission, hereinafter referred to as the 'Commission,'

which shall be composed of eleven members as follows: The Governor shall be a member, ex officio; two members shall be appointed by the Speaker of the House of Representatives from the membership of the House; two members shall be appointed by the President of the Senate from the membership of the Senate; the Division President of the South Carolina Division of the United Daughters of the Confederacy; the Division Commander of the South Carolina Division of the Sons of Confederate Veterans; and four members, not present members of the General Assembly, shall be appointed by the Governor. The terms of the members, except that of the Governor, shall terminate on May 1, 1966.

The Commission may appoint honorary members, and shall establish an advisory council composed of such persons as it deems especially interested in the celebration of the centennial, to assist in its work.

Appointments provided for in this section, with the exception of honorary members, shall be made within ninety days from the date of this act. Vacancies shall be filled in the same manner as the original appointments. Upon its appointment the Commission shall organize by electing from its membership a chairman, a vice chairman, and such other officers as the Commission shall determine are necessary."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of February, 1965.

(R522, S331) **No. 470**

A Joint Resolution To Create A Committee To Study Municipal Problems And Make Its Report To The General Assembly And To Authorize Employment Of Necessary Assistance And Provide For The Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Committee created — officers — meetings.—A committee consisting of six members is hereby created to be appointed as follows: three shall be appointed by the President of the Senate from the membership of that body and three shall be appointed by the Speaker of the House of Representatives from the membership

of that body. The committee shall meet as soon as practicable after appointment and shall organize itself by electing one of its members as chairman and such other officers as the committee may deem necessary. Thereafter, the committee shall meet on the call of the chairman or a majority of the members.

SECTION 2. Duties—report.—The committee shall study the problems confronting the municipalities of the State which have resulted from rapid growth and development of recent years. This shall embody all phases of the municipalities, giving adequate consideration to long-range planning in order to facilitate the orderly development of our State. The committee shall report its findings and such recommendations as it may consider necessary annually to the General Assembly.

SECTION 3. Compensation.—The members shall be entitled to such mileage, subsistence and per diem as authorized by law for members of boards, committees and commissions while in the performance of the duties for which appointed. This shall be paid from the approved accounts of both houses

SECTION 4. Employ personnel—expenses.—The committee is authorized to employ such assistance as may be necessary and to incur other necessary expenses which shall be paid from the civil contingent fund of the State. The total expenditures of the committee from the approved accounts of each house and the civil contingent fund shall not exceed the sum of five thousand dollars which shall be paid out in any case upon vouchers signed by the chairman.

SECTION 5. When powers to expire.—The authority and powers granted the committee shall expire July 1, 1967.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R531, S364)

No. 471

A Joint Resolution To Continue The Committee Created Under H. 1137, Of 1963, To Investigate The Feasibility Of Creating A State Fire And Inspection Rating Bureau, To Extend Its Authority, And To Make An Appropriation Therefor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Committee continued.—The committee created under H. 1137, of 1963, to investigate the feasibility of creating a state fire and inspection rating bureau, is hereby continued. The committee shall study automobile insurance rates, rating systems and practices with particular respect to the increasing number of classes, classifications and classification systems, the accompanying fragmentation of experience and the impact thereof upon statistics and statistical plans and related matters, with a view to determining the feasibility of establishing a State Rating Bureau for the purpose of regulating automobile insurance rates, as well as fire and homeowners' insurance rates. The committee is granted the power to subpoena witnesses and take their testimony under oath and is urged to enlist the aid, assistance and counsel of the Insurance Department in connection with the technical aspects of this study.

SECTION 2. Appropriation.—There is appropriated from the General Fund of the State the sum of two thousand dollars for the expenses of the committee.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R53, H1010) (R81, S14) **No. 472**

A Joint Resolution To Provide For A Report To The General Assembly By The Uniform Commercial Code Committee During The Session Of 1965.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Time for reporting on Uniform Commercial Code.—The time for making a full report to the General Assembly on the proposed Uniform Commercial Code, as required by Act No. 1086 of 1964, is extended so that the report shall be made to the General Assembly during the session of 1965.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of February, 1965.

(R339, H1550) **No. 473**

An Act Authorizing The State Budget And Control Board To Convey To The Altrusa Club Of Florence Certain Lots Of Land.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. State may sell certain property.—The State Budget and Control Board is authorized to sell and convey to The Altrusa Club of the City of Florence the property hereafter described for such consideration as may seem reasonable:

All those certain pieces, parcels or lots of land lying and being situate in the southeast section of the City of Florence, County of Florence, State of South Carolina, described as lots one through twelve, taken together measure 300 feet on Jarrott Street, 484.8 feet on Clyde Street, and 156 feet on Gaillard Street as shown on a plat recorded in Plat Book "C", at page 215, in the Clerk of Court's Office for Florence County and are bounded as follows: On the North by a branch; on the East by Gaillard Street; South by Clyde Street; and on the West by Jarrott Street.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of April, 1965.

(R527, S355) **No. 474**

An Act To Authorize The State Budget And Control Board To Sell Tracts Of The Former Columbia Army Air Base Under Certain Conditions.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. State may sell certain property.—The State Budget and Control Board is authorized to deed two tracts, one not in excess of fifty acres and the other not in excess of one acre, of the former Columbia Army Air Base located in Lexington County at any one time to any person tendering a consideration equal to the average appraisal as determined by three members of the American Institute of Real Estate Appraisers or three real estate brokers who

have been licensed for not less than five years, or a combination of these appraisers.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R319, S261) **No. 475**

An Act To Extend The Turkey Hunting Season In Game Zone 6 Of Those Counties Whose Season Ends April Fifteenth And In Jasper County Through April Twenty-fourth For The Year 1965 Only.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Turkey season extended in certain counties.—In all counties in which the season for hunting turkeys in Game Zone 6 expires on April fifteenth and in Jasper County the season shall be extended through April twenty-fourth for the year 1965 only.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of April, 1965.

(R318, S244) **No. 476**

An Act To Provide For The Extension Of The Shad Season In The Santee River, Combahee River, Edisto River, And Savannah River Above The Forty-Mile Limit And The Great Pee Dee River In Chesterfield And Marlboro Counties To May 15, 1965.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Shad season extended in certain rivers.—Notwithstanding any provision of law to the contrary, the shad season in the Santee River, Combahee River, Edisto River and Savannah River above the forty-mile limit is extended to May 15, 1965.

The shad season in the waters of the Great Pee Dee River in Chesterfield and Marlboro Counties is extended until May 15, 1965, notwithstanding any provision of law to the contrary.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of April, 1965.

(R85, S81) **No. 477**

An Act To Authorize The Secretary Of State To Restore The Charter Of Lord Berkeley Broadcasting Company, Inc.

Whereas, the General Assembly, pursuant to the requirements of the Constitution of South Carolina, 1895, Article 9, Section 2, approved the introduction of a bill authorizing the Secretary of State to restore the charter of Lord Berkeley Broadcasting Company, Inc. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Charter of Lord Berkeley Broadcasting Co. may be restored.—Authority is hereby granted to the Secretary of State to restore the charter of Lord Berkeley Broadcasting Company, Inc. upon the payment to the South Carolina Tax Commission of such taxes, penalties and interest as the Commission shall find to be due. The Secretary of State shall notify the clerk of court of the county in which the original charter was granted of the reinstatement of the forfeited charter, and the clerk of court shall note the reinstatement upon the record of the original charter.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of February, 1965.

(R394, H1564) **No. 478**

An Act Authorizing The Secretary Of State To Restore The Charter Of North Of The Border, Inc., In Aiken County.

Whereas, the General Assembly, pursuant to the requirements of the Constitution of South Carolina, 1895, Article IX, Section 2, ap-

proved the introduction of a bill authorizing the Secretary of State to restore the charter of North of the Border, Inc. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Charter of North of the Border, Inc., may be restored.—Authority is hereby granted to the Secretary of State to restore the charter of North of the Border, Inc., upon the payment to the South Carolina Tax Commission of such taxes, penalties and interest as the Commission shall find to be due. The Secretary of State shall notify the clerk of court of the county in which the original charter was granted of the reinstatement of the forfeited charter, and the clerk of court shall note the reinstatement upon the record of the original charter.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of May, 1965.

(R421, H1489)

No. 479

An Act To Amend Section II Of Act No. 3086 Of 1849, As Amended, Relating To The Society For The Relief Of Families Of Deceased And Disabled Indigent Members Of The Medical Profession Of The State Of South Carolina, So As To Provide For The Disposition Of Its Funds And Other Property In The Event That The Corporation Shall Dissolve Or Otherwise Cease To Exist.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section II of Act 3086 of 1849 amended—disposition of funds if corporation dissolved.—Section II of Act No. 3086 of 1849, as amended by Act No. 990 of 1958, is further amended by adding at the end thereof the following: "In the event that the corporation shall dissolve or cease to exist, all of its funds and property of whatsoever kind and description then remaining shall become vested in the Medical Society of South Carolina in trust to hold, manage, invest and reinvest and to apply the income therefrom toward the equipment, maintenance and operation of one or more beds in the Roper Hospital in the City of Charleston, South Carolina, or

in such other hospital in said city as may be under the management, direction or control of the Medical Society of South Carolina, such bed or beds to be made available, without charge, for use by disabled indigent members of the medical profession of the State of South Carolina and by such members of their families and of the families of deceased members of the medical profession of the State of South Carolina as may be found to be in need of, and unable to afford the expense of, such hospitalization. The recipients of such charity shall be designated by the President of the Medical Society of South Carolina for the time being, upon the recommendation of the Board of Commissioners of Roper Hospital or the commission, committee or other agency of the Medical Society of South Carolina in charge of the operation of such other hospital. If, when the corporation shall dissolve or in any other manner cease to exist, or at any time thereafter, the Medical Society of South Carolina shall not be in existence or shall be unable or unwilling to accept the funds and other property of the corporation upon the trust and for the purposes aforesaid, or, having so accepted such funds and other property, shall become unable or unwilling to continue to perform the duties of the trust, then and in any such event the funds and other property of the corporation, and any funds or property that may have been substituted therefor during the trusteeship of the Medical Society of South Carolina, shall, upon application by the Attorney General of the State of South Carolina to any court of competent jurisdiction, be distributed to such organization as in the judgment of the court will best accomplish the general charitable purposes of the corporation."

The section when amended shall read as follows:

"Section II. That the principal end of the corporation shall be to succor and maintain, and relieve the families of deceased and disabled indigent members of the medical profession of the State of South Carolina, in such manner and according to such rules and regulations as they may see fit to establish. In the event that the corporation shall dissolve or cease to exist, all of its funds and property of whatsoever kind and description then remaining shall become vested in the Medical Society of South Carolina in trust to hold, manage, invest and reinvest and to apply the income therefrom toward the equipment, maintenance and operation of one or more beds in the Roper Hospital in the City of Charleston, South Carolina, or in such other hospital in said city as may be under the management, direction or control of

the Medical Society of South Carolina, such bed or beds to be made available, without charge, for use by disabled indigent members of the medical profession of the State of South Carolina and by such members of their families and of the families of deceased members of the medical profession of the State of South Carolina as may be found to be in need of, and unable to afford the expense of, such hospitalization. The recipients of such charity shall be designated by the President of the Medical Society of South Carolina for the time being, upon the recommendation of the Board of Commissioners of Roper Hospital or the commission, committee or other agency of the Medical Society of South Carolina in charge of the operation of such other hospital. If, when the corporation shall dissolve or in any other manner cease to exist, or at any time thereafter, the Medical Society of South Carolina shall not be in existence or shall be unable or unwilling to accept the funds and other property of the corporation upon the trust and for the purposes aforesaid, or, having so accepted such funds and other property, shall become unable or unwilling to continue to perform the duties of the trust, then and in any such event the funds and other property of the corporation, and any funds or property that may have been substituted therefor during the trusteeship of the Medical Society of South Carolina, shall, upon application by the Attorney General of the State of South Carolina to any court of competent jurisdiction, be distributed to such organization as in the judgment of the court will best accomplish the general charitable purposes of the corporation."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of May, 1965.

(R445, S300) **No. 480**

An Act To Amend Act 1197 Of 1930, As Amended, Relating To The Incorporation Of The Board Of Trustees Of The Presbyterian College Of South Carolina, So As To Change The Incorporated Name To Presbyterian College And To Further Define And Enumerate The Composition And Powers Of The Board Of Trustees.

Whereas, the General Assembly, pursuant to the requirements of the Constitution of South Carolina, 1895, Article 9, Section 2, ap-

proved the introduction of a bill to amend the charter of the Board of Trustees of The Presbyterian College of South Carolina. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Act 1197 of 1930 amended—Presbyterian College—name changed—board of trustees—composition—powers and duties.—Act 1197 of 1930, as amended, is further amended by striking all after the enacting words and inserting in lieu thereof the following:

"Section 1. The corporate name of the Board of Trustees of The Presbyterian College of South Carolina is hereby changed to Presbyterian College. The college shall be located at Clinton, South Carolina.

"Section 2. The Board of Trustees of Presbyterian College shall consist of not less than twenty and no more than thirty-four members. The Synod of South Carolina shall elect from its membership up to thirteen members. The Synod of Georgia shall elect from its membership up to thirteen members. The Alumni Association of the College may elect three members to the Board, all of whom shall be members of Evangelical Christian Churches. The Board may elect up to five members to the Board, all of whom shall be members of Evangelical Christian Churches.

Trustees shall be elected for a term of three years and until their successors are elected. They shall be eligible for re-election for two additional terms. Trustees, who have served with extraordinary benefit to the college, may be re-elected to additional terms. If either of the Synods or the Alumni Association shall fail to appoint or elect their members of the Board, appointments to fill the vacancies may be made by the remaining members of the Board of Trustees in an annual meeting. The appointees shall serve until the Synods or Alumni Association shall elect trustees in the manner provided by this act to succeed them.

"Section 3. The Board of Trustees of Presbyterian College shall be vested with the control, management and government of the college for the purpose of promoting Christian Education in harmony with the constitution of the Presbyterian Church and shall make and enact bylaws, rules and regulations for the government of the college and for the preservation of order and good morals therein, not inconsistent with the laws of the land or the constitution of the Presbyterian Church in the United States.

"Section 4. The Board of Trustees of Presbyterian College shall have perpetual succession and a common seal, may sue and be sued and may purchase, take, receive and hold real and personal property and may sell, transfer, lease, mortgage and convey any property held by them for the use and benefit of the college, but nothing in this section shall authorize the Board to use or dispose of any property given, bequeathed, devised or conveyed to the college contrary to the conditions annexed to the gift, bequest, devise or conveyance by which the property is acquired.

"Section 5. The Board shall have the exclusive right to elect a president of the college who shall be its principal executive officer under the control and direction of the Board. The Board shall also elect such faculty and officers as it may think proper and fix the salaries of all officers and faculty, provided that in making provision for the salaries of the faculty and officers it shall not be lawful for the trustees to make the payment of such salaries a claim on the real estate and endowment of the college.

"Section 6. The Board shall appoint an executive committee to consist of not more than nine members of the Board, which shall have the power to transact all business needful for the good of the college, except in such matters as may be expressly reserved to itself by the Board.

"Section 7. The president and those holding academic appointments at Presbyterian College shall be the faculty thereof and with the advice and consent of the Board of Trustees shall have the right to recommend to the Board persons suitable to receive such degrees and marks of distinction as are usually conferred at colleges and universities.

"Section 8. The Board of Trustees of Presbyterian College shall be authorized to change the name of the college and may change the name and title of the body politic and corporate hereby created. In case of change of name and title, the new body politic and corporate shall succeed to all the rights, powers, privileges, and advantages conferred by this act upon Presbyterian College. The Board shall not change the location of the college without the concurrence of a two-thirds vote of each of the controlling Synods, after notice given at the preceding stated meeting of the Synods.

"Section 9. This act shall take effect upon approval by the Governor."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of May, 1965.

(R232, H1201) **No. 481**

An Act Providing For Funds To Make Permanent Improvements To The John De La Howe School Water Works System And Swimming Pool.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Appropriation for John de la Howe School.—The sum of ninety thousand two hundred dollars is appropriated from the general funds of the State for making permanent improvements to the water works system and renovation of the swimming pool of the John de la Howe School.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 31st day of March, 1965.

(R333, H1251) **No. 482**

An Act To Empower The Board Of Trustees Of The Medical College Of South Carolina To Grant A Long Term Leasehold Estate To The Board Of Trustees Of The South Carolina Retarded Children's Habilitation Center.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that it did by Act No. 314 of 1963 establish, as an agency of the State, The South Carolina Retarded Children's Habilitation Center, and did provide that its functions be performed by a Board of Trustees (The Board). The Board now proposes to construct a diagnostic evaluation clinic facility and wishes to locate it at the northwest corner of certain property recently acquired by The Medical College of South Carolina (The Medical College) and known

as The Porter Academy property. The Trustees of The Medical College (The Trustees) are amenable to the proposal, but the question has arisen as to the statutory power of The Trustees to grant a long term indefeasible lease to such property. To remedy this statutory lack of power, the General Assembly proposes to grant appropriate authorization therefor.

SECTION 2. Medical College may lease certain property.—The Trustees are empowered to lease to The Board not to exceed one-half acre of The Porter Academy property to permit The Board to construct and operate a facility to be used as a diagnostic evaluation clinic.

The lease shall be in such form and for such term as shall be mutually agreed upon, not to exceed sixty years and shall not require the payment of rent. The estate so granted shall be an indefeasible leasehold estate and may be accompanied by such easements affecting the remainder of The Porter Academy property of The Medical College as The Trustees shall approve. Both The Board and The Trustees may take such action as shall be required to implement the authorizations granted by this act.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of April, 1965.

(R587, H1723) **No. 483**

An Act To Empower The Board Of Trustees Of The Medical College Of South Carolina To Convey Certain Properties To The City Of Charleston.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that The Medical College of South Carolina (The Medical College) owns certain real property located on James Island in Charleston County, now being used as an animal farm, which it acquired from the United States of America. The City of Charleston (the City) has need of a treatment plant site in connection with the sewage disposal facilities now being planned by the City. Of-

ficials of The Medical College and of the City have informally discussed the conveyance to the City of the necessary site.

Furthermore, the City proposes to widen a portion of Calhoun Street and for that purpose The Medical College proposes to convey to the City a fifteen foot wide strip of land lying on the south side of Calhoun Street in the City of Charleston and butting on the west on Barre Street and on the east on Gadsden Street; and The Medical College proposes to convey a portion of its property lying at the northeast corner of President and Douty Streets, in the City and measuring ninety feet along each street, to the City in order to enable the City to improve the traffic pattern at that intersection.

The Trustees of The Medical College (the Trustees) have no statutory power to effect any such conveyances and to remedy this lack of statutory power the General Assembly now proposes to grant appropriate authorization therefor.

SECTION 2. Medical College may convey certain property.—The Trustees are hereby fully empowered to convey to the City, without warranty, the fee simple title, or such lesser estate as the Trustees shall deem advisable to any or all of the following:

(a) a portion of the above mentioned property owned by The Medical College on James Island not to exceed fourteen acres in area together with easements over such other portions of the tract of land as may be required by the City;

(b) the abovementioned fifteen foot wide strip lying along the south side of Calhoun Street; and

(c) the abovementioned portion of its property lying at the northeast corner of President and Douty Streets.

The conveyances shall be made for such consideration as the Trustees shall deem appropriate or for no consideration, in the discretion of the Trustees. The deeds effecting these conveyances shall be executed on behalf of The Medical College by such person or persons as the Trustees shall, by resolution, provide and the Trustees are fully empowered to take such action as shall be required in order to implement the authorizations granted by this act.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R466, H1661)

No. 484

An Act To Amend Act 1095 Of 1964, Relating To The Issuance Of State Notes For The Medical College Of South Carolina, So As To Increase The Amount Authorized From One Million Five Hundred Thousand Dollars To Six Million Dollars And To Extend The Period Of Time Over Which The Notes May Be Paid.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that it did by Act 1095 of 1964 authorize The Medical College of South Carolina (The Medical College) to construct and equip teaching and related facilities for the purpose of providing additional teaching and related facilities for the training of physicians and nurses and for the purpose of providing teaching and related facilities for a school of dentistry, and to that end did authorize and empower the Governor and State Treasurer, under the conditions set forth therein, to raise one million five hundred thousand dollars through the issuance of notes of the State. It now finds that the needs for such facilities are greater than then believed and that the cost of such facilities is now estimated to be fifteen million dollars, of which approximately nine million dollars may be obtained through Federal assistance. After a careful review, it has determined to permit The Medical College to undertake the enlarged program and as a means of expressing its approval and authorization thereto has determined that Act 1095 of 1964 should be amended so as to increase the amount that may be raised therefor. It has also determined to extend the maturity of the notes authorized by Act 1095.

SECTION 2. Section 1 of Act 1095 of 1964 amended—findings further.—Section 1 of Act 1095 of 1964 is amended by striking on line twenty-four the words "one million five hundred thousand" and inserting the words "six million". Amend the section further by striking beginning on line thirty-one the words "one million five hundred thousand" and inserting the words "six million". The section when amended shall read as follows:

"Section 1. The General Assembly finds that by Section 9 of Part II of Act No. 284 of the Acts of General Assembly for the year 1963 it authorized the acquisition by The Medical College of South Caro-

lina (the Medical College) of certain properties in the City of Charleston from Porter Academy, in order that the Medical College might enlarge its teaching and related facilities in such manner as to provide teaching facilities for additional students in its medical and nursing schools, and in order that it might establish a school of dentistry. With the proceeds of moneys raised in the manner authorized by Section 9 of Part II of Act No. 284 the properties have been acquired and are now available for use.

By Public Law 88-129, enacted by the Congress of the United States and approved by the President on September 24, 1963, moneys for grants to assist in the construction of new teaching facilities for the training of physicians, nurses and dentists will become available. The Medical College is eligible for Federal assistance pursuant to Public Law 88-129, but in order to make application therefor, must establish that certain sums are available to it from State or other sources. It has now been determined that the Medical College should increase its facilities for students in its existing schools of medicine and nursing and for its authorized, but yet to be established, school of dentistry. In order to accomplish these results, the General Assembly has determined to make available to the Medical College the sum of not exceeding six million dollars in order that with such funds, and with such further funds as may be obtained through the authorizations of Public Law 88-129, the Medical College may be able to provide additional teaching and related facilities for the training of physicians, nurses and dentists.

In order to provide a method for raising moneys, the General Assembly has determined to empower the Governor and State Treasurer to issue notes of the State to the extent of not exceeding six million dollars, the proceeds to be made available to the Board of Trustees of the Medical College for the purposes above set forth."

SECTION 3. Section 3 of Act 1095 of 1964 amended—bond issue authorized.—Section 3 of Act 1095 of 1964 is amended by striking it out and inserting the following:

"Section 3. In order to provide funds to the extent of not exceeding six million dollars for the purposes above set forth, the Governor and State Treasurer, having first obtained the approval of the State Budget and Control Board, expressed by proper resolution, shall be empowered to issue notes of the State to the extent of not exceeding six million dollars. The notes shall mature in twenty successive annual instalments in such amounts as the State Budget and Control

Board shall approve. The notes may, at the discretion of the State Budget and Control Board, be made subject to redemption prior to their stated maturities on such occasions and under such conditions as the State Budget and Control Board shall prescribe. The notes shall bear interest, payable annually or semiannually, at such rate as the State Budget and Control Board may prescribe."

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 27th day of May, 1965.

(R524, S347) **No. 485**

An Act To Amend Act No. 1100 Of 1964, Relating To The Issuance Of Notes Or Bonds For Mental Health Facilities, So As To Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 6 of Act 1100 of 1964 amended—maximum indebtedness.—Section 6 of Act No. 1100 of 1964 is amended by striking "five" on line four and inserting in lieu thereof "seven and one-half". The section when amended shall read as follows:

"Section 6. Notwithstanding other provisions of this act, notes or bonds issued for the benefit of mental health facilities under the jurisdiction of the commission shall not exceed seven and one-half million dollars at any one time, and notes or bonds issued for the benefit of Whitten Village shall not exceed two million, six hundred thousand dollars at any one time."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R494, H1008)

No. 486

An Act To Amend Act 821 Of 1956, As Amended, Relating To The South Carolina State Ports Authority, So As To Authorize The Authority To Construct Additional Facilities For Storing And Exporting Soy Beans And Other Small Grains; To Increase By Two Million Five Hundred Thousand Dollars The Amount Of General Obligation Bonds Of The State Which May Be Issued For State Ports Facilities; And To Provide For Special Charges For The Use Of Such Facilities.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Ports Authority may expand grain facilities—bond issue increased—schedule of rates and charges.—The General Assembly, by Act 821 of 1956, as amended by Act 32 of 1957, authorized the issuance of State bonds to the extent of twenty-one million dollars to provide docking facilities at the State ports of South Carolina. Section 4 of Part II of Act 207 of 1961 authorized an additional one million dollars of bonds in order that a grain elevator and necessary attendant facilities for storing and exporting soy beans and other small grains might be constructed. The facilities constructed with the one million dollars last provided have proved extremely useful, but the demand therefor has exceeded the capacity with the result that the facilities for storing and exporting soy beans and other small grains should be greatly enlarged. The General Assembly has decided to authorize such expansion and proposes to provide an additional two million five hundred thousand dollars therefor. Notwithstanding the need for the additional facilities, the General Assembly has determined that, if possible, the bonds should be self-liquidating, and to that end intends to prescribe, as a condition precedent to the issuance of additional State Ports Authority bonds pursuant to the provisions of this amendatory act of 1965, that the State Ports Authority shall place into effect, maintain, and to the extent herein provided, revise when necessary, a schedule of rates and charges upon all receiving the benefit of such facilities, based upon a per bushel charge, sufficient to provide for the payment of the principal and interest of such additional State Ports Authority bonds. To accomplish these results it proposes to further amend Act 821 of 1956 in order to furnish an appropriate statutory vehicle for the issuance of two million five hundred thousand dollars of additional State Ports bonds.

SECTION 2. Act 821 of 1956 amended—Section 2A added—additional bonds may be issued to expand grain facilities.—Act 821 of 1956, as amended, is further amended by adding after Section 2 the following:

"Section 2A. In addition to the twenty-two million dollars of State Ports bonds, whose issuance is authorized by Section 2, additional State Ports bonds, to the extent of two million five hundred thousand dollars, may be issued, in order to enlarge and improve facilities at the Port of Charleston for storing and exporting soy beans and other small grains, and the State Ports Authority shall be fully authorized and empowered to construct such additions and improvements to the existing facilities with the proceeds of the bonds herein authorized."

SECTION 3. Section 3 of Act 821 of 1956 amended—items (4), (5) and (6) added—request to be submitted to Budget and Control Board prior to issuance.—Section 3 of Act 821 of 1956 is amended by adding at the end thereof the following:

"(4) In the instance of any State Ports bonds, issued to expand existing grain facilities, the Authority shall include in its request to the State Budget and Control Board a schedule of rates and charges to be imposed upon a per bushel basis upon all those who may utilize such facilities, together with an estimate showing the revenues to be raised therefrom. Such schedule of charges shall be effective prior to the issuance of such State Ports bonds. In preparing the schedule the State Ports Authority shall assume that the State will issue the bonds authorized by this act as serial bonds payable in twenty successive equal annual instalments, beginning one year from the date of issuance and at a rate of not more than three per cent interest per annum. On such basis the aggregate of principal and interest to be paid by the State will amount to three million two hundred eighty-seven thousand five hundred dollars. The schedule to be presented to the State Budget and Control Board must be such as to establish that the revenue to be derived from the per bushel charge over such twenty-year period will be equal to the sum of three million two hundred eighty-seven thousand five hundred dollars. The General Assembly is aware that in the initial phases of operation the revenues may be less than in later years and such factor may be taken into account in the preparation of the rate schedule, but the estimate must show that at the end of five years and thereafter, the revenue will equal the annual debt service requirements on the bonds here author-

ized for such years, and that any deficit, incurred in the first five years that such bonds shall be outstanding, will be restored during the life of the bonds. Such schedule may be revised from time to time, with the approval of the State Budget and Control Board, and shall be revised whenever required by the State Budget and Control Board, but all revisions so made shall take into account the legislative mandate herewith expressed that the revenue derived from the expanded facilities provide reimbursement to the State of the aggregate sums paid by it by way of principal and interest on the bonds herewith authorized. *Provided,* that if in any full fiscal year after the beginning of the operations of the expanded facilities the payments made by the then operator or lessee shall be less than one hundred thousand dollars, the State Ports Authority and the Budget and Control Board shall forthwith terminate or renegotiate any existing management or lease agreement, and in no event shall any new or renegotiated contract provide for annual payments of less than one hundred thousand dollars as provided in the act.

(5) The State Ports Authority shall review at the end of each fiscal year the entire operation and status of the grain storage facilities as operated by any lessee or holder of a management contract to determine that the method and conduct of operation has been in an efficient and economical manner with due regard for the interests of the State, the farmers and the lessee. The lessee or operator shall submit within ninety days of the end of each fiscal year a complete audit by a certified public accountant approved by the State Ports Authority. The Ports Authority shall thereafter submit an annual report to the Budget and Control Board and the General Assembly, on the operation of the grain facility.

(6) That any option in any existing contract or management agreement shall be terminated and at the termination of the existing management contract or lease, the State Ports Authority shall have the right and responsibility of operating or leasing the facilities on such terms as they may deem best. *Provided,* that first priority in negotiating any new agreement or lease shall be given to the then existing operator or lessee."

The section when amended shall read as follows:

"Section 3. Prior to the issuance of any State Ports bonds, the Authority shall transmit to the State Budget and Control Board (herein called the State Board) a request for the issuance thereof, and shall embody in such request the following information:

(1) A schedule showing the aggregate of State Ports bonds issued pursuant to previous requests; the purposes for which the proceeds thereof were expended; and the annual debt service requirements thereof.

(2) The amount of bonds then sought to be issued, the purposes for which their proceeds are to be expended, and a suggested maturity schedule for such bonds.

(3) A schedule showing estimated future debt service requirements on all outstanding State Ports bonds and the bonds then requested to be issued.

(4) In the instance of any State Ports bonds, issued to expand existing grain facilities, the Authority shall include in its request to the State Budget and Control Board a schedule of rates and charges to be imposed upon a per bushel basis upon all those who may utilize such facilities, together with an estimate showing the revenues to be raised therefrom. Such schedule of charges shall be effective prior to the issuance of such State Ports bonds. In preparing the schedule the State Ports Authority shall assume that the State will issue the bonds authorized by this act as serial bonds payable in twenty successive equal annual instalments, beginning one year from the date of issuance and at a rate of not more than three per cent interest per annum. On such basis the aggregate of principal and interest to be paid by the State will amount to three million two hundred eighty-seven thousand five hundred dollars. The schedule to be presented to the State Budget and Control Board must be such as to establish that the revenue to be derived from the per bushel charge over such twenty-year period will be equal to the sum of three million two hundred eighty-seven thousand five hundred dollars. The General Assembly is aware that in the initial phases of operation the revenues may be less than in later years and such factor may be taken into account in the preparation of the rate schedule, but the estimate must show that at the end of five years and thereafter, the revenue will equal the annual debt service requirements on the bonds here authorized for such years, and that any deficit, incurred in the first five years that such bonds shall be outstanding, will be restored during the life of the bonds. Such schedule may be revised from time to time, with the approval of the State Budget and Control Board, and shall be revised whenever required by the State Budget and Control Board, but all revisions so made shall take into account the legislative mandate herewith expressed that the revenue derived from the expanded

facilities provide reimbursement to the State of the aggregate sums paid by it by way of principal and interest on the bonds herewith authorized. *Provided,* that if in any full fiscal year after the beginning of the operations of the expanded facilities the payments made by the then operator or lessee shall be less than one hundred thousand dollars, the State Ports Authority and the Budget and Control Board shall forthwith terminate or renegotiate any existing management or lease agreement, and in no event shall any new or renegotiated contract provide for annual payments of less than one hundred thousand dollars as provided in the act.

(5) The State Ports Authority shall review at the end of each fiscal year the entire operation and status of the grain storage facilities as operated by any lessee or holder of a management contract to determine that the method and conduct of operation has been in an efficient and economical manner with due regard for the interests of the State, the farmers and the lessee. The lessee or operator shall submit within ninety days of the end of each fiscal year a complete audit by a certified public accountant approved by the State Ports Authority. The Ports Authority shall thereafter submit an annual report to the Budget and Control Board and the General Assembly, on the operation of the grain facility.

(6) That any option in any existing contract or management agreement shall be terminated and at the termination of the existing management contract or lease, the State Ports Authority shall have the right and responsibility of operating or leasing the facilities on such terms as they may deem best. *Provided,* that first priority in negotiating any new agreement or lease shall be given to the then existing operator or lessee."

SECTION 4. Section 6 of Act 821 of 1956 further amended—payment.—Section 6 of Act 821 of 1956, as amended by Act 207 of 1961, is further amended by adding at the end thereof the following:

"In the instance of any State Ports bonds authorized to expand existing grain or soy bean facilities, all revenues derived from the per bushel charge imposed upon all who may utilize the facilities, pursuant to item (4) of Section 3 of Act 821 of 1956, as amended, shall be set apart by the State Treasurer in a separate fund and applied to the payment of the principal and interest of additional State Ports Authority bonds issued for the purpose of expanding the facilities."

The section when amended shall read as follows:

"Section 6. For the payment of the principal and interest on all State Ports bonds at any time issued and outstanding, there shall be pledged the full faith, credit and taxing power of the State of South Carolina, and in addition thereto, but subject to the provisions of this section, the entire amount of revenue derived from the tax levied on income, pursuant to Chapter 5 of Title 65, Code of Laws of South Carolina, 1962, as amended. The revenues derived from such tax during each fiscal year shall be discharged from each pledge when provision has been made for the payment in full of the principal and interest of all State Ports bonds matured or maturing in such fiscal year, and there shall be applied to the payment of such bonds annually such amounts from the net revenues derived by the Authority from its operations as shall from time to time be determined and directed by the State Budget and Control Board. The pledge of such revenue derived from such tax shall preclude the repeal of such tax until such pledge has been fully discharged but it shall not preclude the revision of such tax as to rate, if the State Auditor shall certify that his estimate of the revenue to be derived annually from the tax as thus revised will not be less than one hundred and fifty per cent of that sum which is equal to the maximum annual principal and interest requirements on all State Ports bonds outstanding, or then requested to be issued on the date such certificate bears. Such certificate shall be appended to the enrolled act and be presented to the Joint Assembly of the General Assembly on the occasion such act is presented for ratification.

In the instance of any State Ports bonds authorized to expand existing grain or soy bean facilities, all revenues derived from the per bushel charge imposed upon all who may utilize the facilities, pursuant to item (4) of Section 3 of Act 821 of 1956, as amended, shall be set apart by the State Treasurer in a separate fund and applied to the payment of the principal and interest of additional State Ports Authority bonds issued for the purpose of expanding the facilities."

SECTION 5. Section 15 of Act 821 of 1956 further amended—final date bonds may be issued.—Section 15 of Act 821 of 1956, as amended, is further amended by striking it out and inserting the following:

"Section 15. No bonds may be issued pursuant to this act after December 31, 1967."

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of June, 1965.

(R371, H1541) **No. 487**

An Act To Authorize The Board Of Trustees Of South Carolina State College To Effect Loans By Issuing Revenue Bonds For Housing Facilities And Refunding Outstanding Bonds, To Define The Procedure By Which Such Loans May Be Effected And To Make Provision For The Payment Of Loans.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that heretofore, pursuant to Act No. 1059 of 1952, the Board of Trustees of South Carolina State College (the Trustees) effected the issuance of one million one hundred thousand dollars Student and Faculty Housing Revenue Bonds of South Carolina State College (State College), which are secured by a pledge of the entire revenues which State College shall from time to time derive directly or indirectly from the use, operation, or rental of all student and faculty housing facilities which it may now or hereafter possess, with certain exceptions prescribed in the resolutions authorizing the issuance of such bonds. In such proceedings the Trustees reserved the right to issue additional bonds to such amount as the Trustees shall from time to time thereafter deem necessary and proper, including bonds issued under subsequently enacted legislative authorization.

The enrollment at State College is expanding steadily, making it apparent that there is a definite need for further facilities to house the expanding enrollment and enlarged faculty. Due consideration and investigation has been given to this need and to the method by which the Trustees might be enabled to construct such additional facilities.

It has also been determined that it might become advantageous for State College to refund all or some portion of the bonds now outstanding and that no statutory authorization now exists whereby such refunding may be accomplished. It has, therefore, been deter-

mined to authorize, under the conditions herein set forth, additional bonds of State College, payable from the revenues herein set forth, for the purposes and to the extent herein provided.

SECTION 2. Additional housing facilities authorized.—The Trustees are authorized to acquire additional student and faculty housing facilities, to the extent they shall approve and can acquire with the proceeds of the bonds authorized by this act. The Trustees are also authorized to effect the refunding of all or any part of the bonds now or hereafter outstanding, which are payable from revenues derived from student and faculty housing facilities.

SECTION 3. Trustees may borrow money.—The Trustees are authorized to borrow, (in addition to the loan evidenced by the bonds described in Section 1) from time to time, not exceeding in the aggregate, two million dollars, as well as such further sum as the Trustees may at any time hereafter determine to borrow for the purpose of refunding all or any part of any bonds of State College payable from revenues derived from student and faculty housing facilities. So much of the proceeds of the loans authorized as shall not be required to retire outstanding bonds shall be used in the construction, reconstruction, and equipping of dormitories and buildings for student and faculty housing, and auxiliary, and related facilities, to be located on lands owned by State College. Such buildings, when constructed, shall be used for the purpose of providing housing, and auxiliary and related facilities, for students and faculty of State College; *provided,* that for the purposes of this act, a building, including both dormitory and cafeteria facilities, shall be deemed to provide housing, auxiliary, and related facilities, within the meaning of this act.

SECTION 4. Pledge of housing revenues.—All bonds issued pursuant to this act shall be payable from the entire revenues derived by State College from all student and faculty housing facilities which it may now or hereafter possess or utilize, including, if the Trustees so elect, any net revenues derived from related facilities. The Trustees shall be empowered to so define the entire revenues as to eliminate therefrom (a) revenues derived from casual users, during the periods when the dormitories are not in regular use, and (b) revenues derived during summer school sessions, and which are used, pursuant to legislative directive, for the operation and maintenance of such summer school sessions, but this exception (b) shall not

apply if, during the life of the bonds, it shall become the general custom of as much as forty per cent of the student body to attend summer school sessions, either in lieu of some other session or as a part of a plan of accelerated college education. *Provided,* that bonds issued pursuant to this act shall not be issued unless they be issued as bonds on a parity with the bonds of State College now outstanding and which are payable from the revenues referred to in this section, unless it shall happen that all of the outstanding bonds shall be retired pursuant to the authorizations set forth in Section 3.

SECTION 5. Credit of State not to be pledged.—The faith and credit of the State of South Carolina shall not be pledged for the payment of the principal and interest of such bonds, and there shall be on the face of each bond a statement plainly worded, to that effect. Neither the Trustees nor any other person signing the bonds shall be personally liable therefor.

SECTION 6. Issuance of bonds.—In order to avail themselves of the authorizations set forth in this act, the Trustees of State College shall adopt resolutions providing for the issuance of bonds of State College within the limitations herein mentioned, which resolution shall prescribe the tenor, terms and conditions of such bonds. Such bonds shall be issued as serial bonds, maturing in equal or unequal amounts, at such times and on such occasions as the Trustees shall determine. *Provided, always,* that the last maturing bonds of any issue shall be expressed to mature not later than fifty years from their date, and the first maturing bonds of any issue, issued pursuant to this act, shall fall due within five years from their date. They shall bear such rates of interest, payable on such occasions, as the Trustees shall prescribe, and the bonds shall be in such denominations, shall be payable in such medium of payment, and at such place as such resolution shall prescribe. All bonds maturing subsequent to fifteen years from their date shall first become subject to redemption not later than fifteen years from their date, and thereafter on all subsequent interest payment dates prior to their respective maturities. All bonds may be issued with a provision permitting their redemption on any interest payment date prior to their respective maturities. Bonds made subject to redemption prior to their stated maturities may contain a provision requiring the payment of a premium for the privilege of exercising the right of redemption, in such amount or amounts as the Trustees shall prescribe in the resolutions author-

izing their issuance. All bonds that are subject to redemption shall contain a statement to that effect on the face of each bond. The resolutions authorizing their issuance shall contain provisions, specifying the manner of call and the notice of call that must be given.

SECTION 7. Form.—Such bonds may be in the form of negotiable coupon bonds, payable to bearer, with the privilege to the holder of having them as to principal on registry books kept by or for State College, and the principal thus made payable to the registered holder, unless the last registered transfer shall have been to bearer, upon such conditions as the Trustees may prescribe, or such bonds may be issued as fully registered bonds. If issued as fully registered bonds, it may be provided that they may thereafter be converted into negotiable coupon bonds of the tenor described above.

SECTION 8. Exempt from taxes.—The bonds authorized by this act and all interest to become due thereon shall have the tax exempt status prescribed by Section 65-4.1, Code of Laws of South Carolina, 1962.

SECTION 9. Lawful for certain persons to invest in bonds.—It shall be lawful for all executors, administrators, guardians and fiduciaries, all sinking fund commissions, and the State Budget and Control Board, as Trustee of the South Carolina Retirement System, to invest any moneys in their hands in such bonds.

SECTION 10. Execution.—Such bonds and the coupons, if any, attached to such bonds, shall be executed in the name of State College in such manner and by such persons as the Trustees shall from time to time determine, and the seal of State College shall be affixed to, reproduced, or impressed on each bond. Any coupon attached to such bonds shall be authenticated by the facsimile signature of one or more of the persons signing the bonds. The delivery of the bonds so executed shall be valid notwithstanding changes in officers or seal occurring after such execution.

SECTION 11. Disposition.—The bonds shall be disposed of in such manner as the Trustees shall determine, except that no sale, privately negotiated without public advertisement, shall be made unless the approval of the State Budget and Control Board shall be obtained. If the Trustees shall elect to sell the bonds at public sale, at least one advertisement thereof shall appear in some newspaper of general

circulation in South Carolina not less than ten days prior to the occasion fixed for the opening of bids.

SECTION 12. Powers.—To the end that the payment of the principal and interest of the bonds authorized hereby shall be adequately secured, the Trustees of State College shall be empowered in their discretion:

1. To issue bonds in such amount, within the limitations herein provided for, as the Trustees shall deem necessary, provided that it shall be lawful for the Trustees to use a portion of the principal proceeds derived from any sale of bonds, except bonds issued to effect refunding of outstanding bonds, to meet the payment of interest on such bonds for a period of one year, it being recognized by the General Assembly that until the facilities, to be constructed with the proceeds of the loan, shall be completed, an undue burden may be imposed upon then existing revenues.

2. To pledge the entire revenues, as described in Section 4 of this act, for the payment of the principal of and interest on the bonds as they respectively mature.

3. To covenant that no housing facilities owned by State College will be used free of charge, or to specify and limit the facilities which may be made use of free of charge.

4. To covenant to establish and maintain such system of rules as will insure the continuous use and occupancy of the facilities, whose revenues are pledged to secure any bonds.

5. To covenant that an adequate schedule of charges will be established and maintained for all the facilities, whose revenues shall be pledged to secure any bonds, to the extent necessary to produce sufficient revenues to:

(a) Pay the cost of operating and maintaining the facilities, whose revenues shall be pledged for the payment of the bonds, including the cost of fire, extended coverage and use and occupancy insurance;

(b) Pay the principal and interest of the bonds as they respectively become due;

(c) Create and at all times maintain, an adequate Debt Service Reserve Fund to meet the payment of such principal and interest; and

(d) Create and at all times maintain an adequate reserve for contingencies, and for major repairs and replacement.

6. To covenant against the mortgaging or disposing of the facilities, whose revenues shall be pledged for the payment of such

bonds, and against permitting or suffering any lien to be created thereon, equal or superior to the lien created for the benefit of such bonds. *Provided,* always, that the Trustees shall be empowered to discontinue the use of, or demolish, obsolete facilities and to reserve the right, under such terms as they shall prescribe, to issue additional bonds on a parity with the bonds authorized by this act, if at some later date they shall obtain legislative authorization for the issuance of such further bonds.

7. To covenant as to the use of the proceeds derived from the sale of any bonds issued pursuant to this act.

8. To provide for the terms, form, registration, exchange, execution and authentication of bonds, and for the replacement of lost, destroyed or mutilated bonds.

9. To make covenants with respect to the use of the facilities, to be constructed with the proceeds of the bonds authorized hereby, and of the other facilities, whose revenues shall be pledged for the payment of the bonds.

10. To prescribe the terms and conditions under which additional bonds on a parity with bonds issued pursuant to this act may be issued, if subsequent legislative authorization be obtained.

11. To covenant that all revenues pledged for the payment of the bonds shall be duly segregated into special funds, and that such funds will be used solely for the purposes for which they are intended and for no other purpose.

12. To covenant for the mandatory redemption of bonds on such terms and conditions as the resolutions authorizing such bonds shall prescribe.

13. To prescribe the procedure, if any, by which the terms of the contract with the bondholders may be amended, the number of bonds whose holders must consent thereto, and the manner in which such consent shall be given.

14. To covenant as to the maintenance of the facilities, whose revenues shall be pledged for the payment of the bonds, the insurance to be carried thereon, and the use and disposition of proceeds from any insurance policy.

15. To prescribe the events of default and the terms and conditions upon which all or any bonds shall become or may be declared due before maturity, and the terms and conditions upon which such declaration and its consequences may be waived.

16. To impose a statutory lien upon the facilities, whose revenues shall be pledged to secure the bonds. Such lien shall extend to such facilities, to their appurtenances and extensions, to their additions, improvements and enlargements to the extent specified in the resolutions and shall inure to the benefit of the holders of the bonds secured thereby. Such facilities shall remain subject to such statutory lien until the payment in full of the principal and interest of the bonds. Any holder of any of the bonds, or any of the coupons representing interest thereon, may, either at law or in equity, by suit, action, mandamus or other proceedings, protect and enforce the statutory lien, and may, by suit, action, mandamus or other proceedings enforce and compel performance of all duties of the Trustees, including the fixing of sufficient rates, the proper segregation of the revenues, and the proper application thereof. *Provided*, however, that the statutory lien shall not be construed to give any such bond or coupon holder authority to compel the sale of any of the facilities, or any part thereof.

17. To covenant that if there be any default in the payment of the principal of or interest upon any of the bonds, any court having jurisdiction in any proper action may appoint a receiver to administer and operate the facilities, whose revenues shall be pledged for the payment of such bonds, with power to fix rates and charges for the facilities, sufficient to provide for the payment of the expense of operating and maintaining such facilities, and to apply the income and revenues of such facilities to the payment of such bonds, and the interest thereon.

SECTION 13. No time limit for issuance of bonds.—The authorizations granted by this act shall remain in full force and effect until they shall be rescinded by subsequent enactment, and no time limit is set for the issuance of bonds pursuant to this act.

SECTION 14. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 5th day of May, 1965.

(R467, H1671)

No. 488

An Act To Authorize The Board Of Trustees Of Winthrop College To Acquire Additional Student Housing Facilities; To Empower It To Effect Loans For Such Purposes Through The Issuance Of Revenue Bonds And Also For The Purpose Of Refunding Outstanding Bonds Payable From Revenues Derived From Student Housing Facilities; To Define The Procedure By Which Such Loans May Be Effected And The Covenants And Undertakings To Secure The Loans; To Make Provision For The Payment Of Loans; And To Declare Valid Certain Bonds Heretofore Issued For Any Of Such Purposes.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that heretofore, (a) pursuant to Act No. 902 of 1952, the Board of Trustees of Winthrop College, hereinafter called "the trustees", effected the issuance of one million four hundred seventy-five thousand dollars' Student Housing Revenue Bonds, Series of 1961, of Winthrop College, and (b) pursuant to Act No. 1008 of 1962, as amended by Act No. 416 of 1963, the trustees effected the issuance of two million dollars' Student Housing Revenue Bonds, Series of 1963, of Winthrop College; and all of the bonds are secured by a pledge of the entire revenues which Winthrop College shall from time to time derive directly or indirectly from the use, operation, or rental of all student housing facilities which it may now or hereafter possess, with certain exceptions prescribed in the resolutions authorizing the issuance of such bonds. In such proceedings the trustees reserved the right to issue additional bonds to such amount as the trustees shall from time to time thereafter deem necessary, including bonds issued under subsequently enacted legislative authorization.

The enrollment at Winthrop College is expanding steadily, making it apparent that there is a definite need for further facilities to house the expanding enrollment. Due consideration and investigation have been given to this need and to the method by which the trustees might be enabled to construct such additional facilities.

It has also been determined that it might become advantageous for Winthrop College to refund all or some portion of the bonds now outstanding and that no statutory authorization now exists whereby such refunding may be accomplished. It has, therefore, been de-

termined to authorize, under the conditions herein, additional bonds of Winthrop College, payable from the revenues herein set forth, for the purposes and to the extent herein provided. As an incident to such plan it has been determined to declare legal, valid and binding the issues of bonds described in paragraph one of this section.

SECTION 2. Bonds to be binding obligations of Winthrop College.—The General Assembly declares that each and every bond of the issues described in Section 1 of this act is a legal, valid and binding obligation of Winthrop College, which is payable, both principal and interest, according to the tenor, and upon the terms and conditions set forth on the face of each of such bonds.

SECTION 3. Additional student housing facilities authorized.—The trustees are hereby authorized and empowered to acquire additional student housing facilities, to the extent they shall approve and can acquire with the proceeds of the bonds authorized by this act. The trustees are also authorized and empowered to effect the refunding of all or any part of the bonds now or hereafter outstanding, which are a part of the issues described in Section 1 of this act.

SECTION 4. Loan authorized.—To the end that the trustees may acquire such additional student housing facilities, the trustees shall be permitted to borrow, in addition to the loans evidenced by the bonds described in Section 1, from time to time, not exceeding in the aggregate, one million three hundred sixty thousand dollars, as well as such further sum as the trustees may determine to borrow for the purpose of refunding all or any part of the outstanding revenue bonds of Winthrop College. So much of the proceeds of the loans herein authorized as shall not be required to retire outstanding bonds shall be used in the construction, reconstruction, and equipping of dormitories and buildings designed for student housing, and auxiliary, and related facilities (including cafeteria facilities), to be located on lands owned by Winthrop College. Such buildings, when constructed, shall be used for the purpose of providing housing, and auxiliary and related facilities, for students of Winthrop College.

SECTION 5. Payment.—All bonds issued pursuant to this act shall be payable from the entire revenues derived by Winthrop College from all student housing facilities which it may now or hereafter possess or utilize, including, if the trustees so elect, any net revenues derived from related facilities. The trustees shall be empowered to so

define the entire revenues as to eliminate therefrom (a) revenues derived from casual users, during the periods when the dormitories are not in regular use, and (b) revenues derived during summer school sessions, and which are used, pursuant to legislative directive, for the operation and maintenance of such summer school sessions, but this exception (b) shall not apply if, during the life of the bonds, it shall become the general custom of as much as forty per cent of the student body to attend summer school sessions, either in lieu of some other session or as a part of a plan of accelerated college education. *Provided,* that bonds issued pursuant to this act shall not be issued unless they be issued as bonds on a parity with the bonds of Winthrop College now outstanding and which are payable from the revenues referred to in this section, unless it shall happen that all of the outstanding bonds shall be retired pursuant to the authorizations set forth in Section 4.

SECTION 6. Payment further.—The faith and credit of the State of South Carolina shall not be pledged for the payment of the principal and interest of such bonds, and there shall be on the face of each bond a statement plainly worded to that effect. Neither the trustees nor any other person signing the bonds shall be personally liable therefor.

SECTION 7. Resolutions to be adopted concerning issuance—maturity—interest—redemption.—In order to avail themselves of the authorizations set forth in this act, the trustees of Winthrop College shall adopt resolutions providing for the issuance of bonds of Winthrop College, within the limitations herein mentioned, which resolutions shall prescribe the tenor, terms and conditions of the bonds. The bonds shall be issued as serial bonds, maturing in equal or unequal amounts, at such times and on such occasions as the trustees shall determine. *Provided,* always, that the last maturing bonds of any issue shall be expressed to mature not later than fifty years from their date, and the first maturing bonds of any issue, issued pursuant to this act, shall fall due within five years from their date. They shall bear such rates of interest, payable on such occasions, as the trustees shall prescribe, and the bonds shall be in such denominations, shall be payable in such medium of payment, and at such place as such resolution shall prescribe. All bonds maturing subsequent to fifteen years from their date shall first become subject to redemption not later than fifteen years from their date, and thereafter, on all subsequent interest payment dates prior to their respective maturities. All bonds may be

issued with a provision permitting their redemption on any interest payment date prior to their respective maturities. Bonds made subject to redemption prior to their stated maturities may contain a provision requiring the payment of a premium for the privilege of exercising the right of redemption, in such amount as the trustees shall prescribe in the resolutions authorizing their issuance. All bonds that are subject to redemption shall contain a statement to that effect on the face of each bond. The resolutions authorizing their issuance shall contain provisions, specifying the manner of call and the notice of call that must be given.

SECTION 8. Form.—Such bonds may be in the form of negotiable coupon bonds, payable to bearer, with the privilege of the holder of having them registered as to principal on the books of the Treasurer of Winthrop College, and the principal thus made payable to the registered holder, unless the last registered transfer shall have been to bearer, upon such conditions as the trustees may prescribe, or such bonds may be issued as fully registered bonds. If issued as fully registered bonds, it may be provided that they may thereafter be converted into negotiable coupon bonds of the tenor described above.

SECTION 9. Exempt from taxes.—The bonds authorized by this act and all interest to become due thereon shall have the tax exempt status as prescribed by Section 65-4.1 of the Code of Laws of South Carolina, 1962.

SECTION 10. Certain persons may invest in bonds.—It shall be lawful for all executors, administrators, guardians and fiduciaries, all sinking fund commissions, and the State Budget and Control Board, as Trustee of the South Carolina Retirement System, to invest any moneys in their hands in such bonds.

SECTION 11. Execution.—Such bonds and the coupons, if any, attached to such bonds, shall be executed in the name of Winthrop College in such manner and by such persons as the trustees shall from time to time determine, and the seal of Winthrop College shall be affixed to or impressed on each bond. Any coupon attached to the bonds shall be authenticated by the facsimile signature of one or more of the persons signing the bonds. The delivery of the bonds so executed shall be valid notwithstanding changes in officers or seal occurring after the execution.

SECTION 12. Disposition.—The bonds shall be disposed of in such manner as the trustees shall determine, except that no sale, pri-

vately negotiated without public advertisement, shall be made unless the approval of the State Budget and Control Board shall be obtained. If the trustees shall elect to sell the bonds at public sale, at least one advertisement thereof shall appear in some newspaper of general circulation in South Carolina not less than ten days prior to the occasion fixed for the opening of bids.

SECTION 13. Powers.—To the end that the payment of the principal and interest of the bonds authorized hereby shall be adequately secured, the Trustees of Winthrop College shall be empowered in their discretion:

1. To issue bonds in such amount, within the limitations herein provided for, as the trustees shall deem necessary, provided that it shall be lawful for the trustees to use a portion of the principal proceeds derived from any sale of bonds, except bonds issued to effect refunding of outstanding bonds, to meet the payment of interest on such bonds for a period of one year, it being recognized by the General Assembly that until the facilities, to be constructed with the proceeds of the loan, shall be completed, an undue burden may be imposed upon then existing revenues.

2. To pledge the entire revenues, as described in Section 5 of this act, for the payment of the principal of and interest on the bonds as they respectively mature.

3. To covenant that no student housing facilities owned by Winthrop College will be used free of charge.

4. To covenant to establish and maintain such system of rules as will insure the continuous use and occupancy of the facilities, whose revenues are pledged to secure any bonds.

5. To covenant that an adequate schedule of charges will be established and maintained for all the facilities, whose revenues shall be pledged to secure any bonds, to the extent necessary to produce sufficient revenues to:

(a) Pay the cost of operating and maintaining the facilities, whose revenues shall be pledged for the payment of the bonds, including the cost of fire, extended coverage and use and occupancy insurance;

(b) Pay the principal and interest of the bonds as they respectively become due;

(c) Create and at all times maintain an adequate Debt Service Reserve Fund to meet the payment of such principal and interest; and

(d) Create and at all times maintain an adequate reserve for contingencies, and for major repairs and replacement.

6. To covenant against the mortgaging or disposing of the facilities, whose revenues shall be pledged for the payment of such bonds, and against permitting or suffering any lien to be created thereon, equal or superior to the lien created for the benefit of such bonds. *Provided,* that the trustees shall be empowered to discontinue the use of, or demolish, obsolete facilities and to reserve the right, under such terms as they shall prescribe, to issue additional bonds on a parity with the bonds authorized by this act, if at some later date they shall obtain legislative authorization for the issuance of additional bonds.

7. To covenant as to the use of the proceeds derived from the sale of any bonds issued pursuant to this act.

8. To provide for the terms, form, registration, exchange, execution and authentication of bonds, and for the replacement of lost, destroyed or mutilated bonds.

9. To make covenants with respect to the use of the facilities, to be constructed with the proceeds of the bonds authorized hereby, and of the other facilities, whose revenues shall be pledged for the payment of the bonds.

10. To prescribe the terms and conditions under which additional bonds on a parity with bonds issued pursuant to this act may be issued, if subsequent legislative authorization be obtained.

11. To covenant that all revenues pledged for the payment of the bonds shall be duly segregated into special funds, and that such funds will be used solely for the purposes for which they are intended and for no other purpose.

12. To covenant for the mandatory redemption of bonds on such terms and conditions as the resolutions authorizing such bonds shall prescribe.

13. To prescribe the procedure, if any, by which the terms of the contract with the bondholders may be amended, the number of bonds whose holders must consent thereto, and the manner in which such consent shall be given.

14. To covenant as to the maintenance of the facilities, whose revenues shall be pledged for the payment of the bonds, the insurance to be carried thereon, and the use and disposition of proceeds from any insurance policy.

15. To prescribe the events of default and the terms and conditions upon which all or any bonds shall become or may be declared due before maturity, and the terms and conditions upon which such declaration and its consequences may be waived.

16. To impose a statutory lien upon the facilities, whose revenues shall be pledged to secure the bonds. The lien shall extend to such facilities, to their appurtenances and extensions, to their additions, improvements and enlargements to the extent specified in the resolutions and shall inure to the benefit of the holders of the bonds secured thereby. The facilities shall remain subject to such statutory lien until the payment in full of the principal and interest of the bonds. Any holder of any of the bonds, or any of the coupons representing interest thereon may, either at law or in equity, by suit, action, mandamus or other proceedings, protect and enforce the statutory lien, and may, by suit, action, mandamus or other proceedings enforce and compel performance of all duties of the trustees, including the fixing of sufficient rates, the proper segregation of the revenues, and the proper application thereof. *Provided*, however, that the statutory lien shall not be construed to give any such bond or coupon holder authority to compel the sale of any of the facilities, or any part thereof.

17. To covenant that if there be any default in the payment of the principal of or interest upon any of the bonds, any court having jurisdiction in any proper action may appoint a receiver to administer and operate the facilities, whose revenues shall be pledged for the payment of the bonds, with power to fix rates and charges for the facilities, sufficient to provide for the payment of the expense of operating and maintaining such facilities, and to apply the income and revenues of the facilities to the payment of the bonds, and the interest thereon.

SECTION 14. No time limit set for issuance of bonds.—The authorizations granted by this act shall remain of full force and effect until they shall be rescinded by subsequent enactment, and no time limit is set for the issuance of bonds pursuant to this act.

SECTION 15. Time effective.—This act shall take effect upon appoval by the Governor.

Approved the 27th day of May, 1965.

(R144, H1290) **No. 489**

An Act To Ratify Action Taken By The Trustees Of Clemson University In Connection With The Construction Of A Library And The Issuance Of Library Bonds Of Clemson University Issued Pursuant To Act No 1009 Of The Acts Of 1962, And To Confirm Certain Action Of The Board Of Trustees Of Clemson University For The Securing Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that it did by Act No. 1009 of 1962 authorize the Board of Trustees of Clemson University to issue one million five hundred thousand dollars of bonds of Clemson University for the purpose of defraying a portion of the cost of constructing and equipping a library now under construction on the campus of Clemson University, which are payable from the proceeds of a special fee imposed upon students attending Clemson University in an amount sufficient to provide adequate debt service for such bonds, and that pursuant thereto the trustees are about to issue the bonds, pledging therefor all sums heretofore or hereafter realized from the special fee for the payment of the principal and interest of such bonds, and utilizing a corporate trustee (who may also act as registrar of the bonds) to safeguard such revenues for the better protection of those who might hereafter acquire any of the bonds The library has been. designed to care for the present needs of the university and to permit future expansion at minimum cost, should future growth require such expansion and funds become available therefor.

SECTION 2. Actions of Clemson University ratified.—The General Assembly approves and ratifies and confirms all steps taken by the Board of Trustees of Clemson University in connection with the construction of the library and the issuance, sale and delivery of library bonds pursuant to the provisions of Act No. 1009 of 1962, and in particular ratifies the action taken by the board of trustees in imposing the special fee and in providing that all funds realized from the fee imposed by the board of trustees pursuant to the act be remitted by the State Treasurer and the officials of Clemson University to a corporate trustee selected by the board of trustees, whose duty shall be to utilize the funds solely for the payment of the principal and interest of the bonds and any expense incidental to such payment, and

to the extent practical to keep the funds invested and reinvested in obligations of, or guaranteed by, the United States of America.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 5th day of March, 1965.

(R145, H1291)

No. 490

An Act To Authorize Clemson University To Issue Bonds In An Amount Not Exceeding Eight Hundred Thousand Dollars For The Construction Of A Student Health Center And To Provide For The Payment Of Such Bonds.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Clemson University may build student health center.—The General Assembly authorizes the construction and equipping of a student health center on the campus of Clemson University (the University), at an initial aggregate cost not exceeding eight hundred thousand dollars. The construction and equipping of such facilities shall be effected under the supervision of the Board of Trustees of the University (the Board).

SECTION 2. Bonds may be issued.—In order to raise moneys required for the construction of the student health center, the Board is authorized to issue not exceeding eight hundred thousand dollars of bonds of the University, payable from an additional special student health center fee in such amount as may be determined by the Board (and revised when necessary) to be necessary to provide the funds needed to effect the payment of the principal of and interest on the bonds authorized by this act and to provide a cushion or reserve therefor.

SECTION 3. Credit of State not to be pledged.—The faith and credit of the State of South Carolina shall not be pledged for the payment of the principal and interest of these bonds and there shall be on the face of each bond a statement plainly worded to that effect. Neither the members of the Board, nor any other person signing the bonds shall be personally liable therefor.

SECTION 4. Board to adopt resolutions concerning issuance of bonds.—In order to utilize the authorizations of this act, the Board

shall adopt resolutions providing for the issuance of the bonds herein authorized, within the limitation herein mentioned, and by resolution shall prescribe the tenor, terms and conditions of the bonds. The bonds shall be issued either as a single issue or from time to time as several separate issues. In the event that the bonds authorized by this act shall be issued as two or more issues, then notwithstanding, all bonds issued shall be on a parity in all respects and shall be equally and ratably entitled to payment from the source provided to meet the payment of such bonds.

SECTION 5. Maturity—interest—redemption.—The bonds shall be issued as serial bonds, maturing in equal or unequal amounts, at such times and on such occasions and in such denomination as the Board shall determine; *provided,* always, that the last maturing bonds of any issue shall be expressed to mature not later than thirty years from their date, and the first maturing bonds of any issue, issued pursuant to this act, shall fall due within three years from their date. They shall bear such rate or rates of interest, payable on such occasions as the Board shall prescribe, and the bonds shall be in such denominations, shall be payable in such medium of payment, and at such place as such resolutions shall prescribe. All bonds maturing subsequent to fifteen years from their date shall be subject to redemption not later than fifteen years from their date, and on all subsequent interest payment dates prior to their respective maturities. All bonds may be issued with a provision permitting their redemption on any interest payment date prior to their respective maturities. Bonds made subject to redemption prior to their stated maturities may contain a provision requiring the payment of a premium for the privilege of exercising the right of redemption, in such amount or amounts as the Board shall prescribe in the resolutions authorizing their issuance. All bonds that are subject to redemption shall contain a statement to that effect on the face of each bond. The resolutions authorizing their issuance shall contain provisions, specifying the manner of call and the notice of call that must be given.

SECTION 6. Form.—The bonds may be in the form of negotiable coupon bonds, payable to bearer, with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Clemson University, or registered as to principal on registry books kept for the University by a corporate trustee, and the principal thus made payable to the registered holder (unless the last registered trans-

fer shall have been to bearer) upon such conditions as the Board may prescribe, or such bonds may be issued as fully registered bonds. If issued as fully registered bonds, it may be provided that they may thereafter be converted into negotiable coupon bonds of the tenor first above described.

SECTION 7. Exempt from taxes.—The bonds authorized by this act and all interest to become due thereon shall have the tax exempt status prescribed by Section 65-4.1, Code of Laws of South Carolina, 1962.

SECTION 8. Certain persons may invest in bonds.—It shall be lawful for all executors, administrators, guardians and fiduciaries, and all sinking fund commissions to invest any moneys in their hands in such bonds.

SECTION 9. Execution.—The bonds and the coupons, if any, attached to the bonds, shall be executed in the name of Clemson University in such manner and by such persons as the Board shall from time to time determine, and the seal of the University shall be reproduced, affixed to or impressed on each bond. Any coupons attached to the bonds shall be authenticated by the facsimile signature of one or more of the persons signing the bonds. The delivery of the bonds so executed shall be valid notwithstanding changes in officers or seal occurring after such execution.

SECTION 10. Sale.—The bonds shall be disposed of in such manner as the Board shall determine, except that no sale, privately negotiated without public advertisement, shall be made unless the approval of the State Budget and Control Board shall be obtained. If the Board shall elect to sell the bonds at public sale, at least one advertisement thereof shall appear in some newspaper of general circulation in South Carolina not less than ten days prior to the occasion fixed for the opening of bids.

SECTION 11. Powers.—To the end that the payment of the principal of and interest on the bonds authorized herein shall be adequately secured, the Board shall be empowered, in its discretion:

1. To place into effect and maintain, and revise when necessary, a special student health center fee (which would bear such nomenclature as the Board shall prescribe) upon all students. For the purpose of this act the term student shall mean those persons residing in University student housing facilities located at Clemson, South Caro-

lina, who are enrolled in a sufficient number of courses for credit to be considered full time students and such other individuals enrolled in courses as the Board may from time to time prescribe.

2. To covenant and agree that throughout the life of the bonds the special student health center fee shall be imposed, maintained, and revised when necessary, in such amount (without limitation as to rate) as shall be sufficient to meet the payment of the principal and interest of the bonds as they become due, and to create such cushion or reserve fund therefor as may be deemed desirable by the Board. The cushion or reserve shall be used only to meet the payment of the principal and interest of the bonds under such conditions as the Board shall prescribe, and shall be set up in such manner as to insure its availability therefor.

3. To establish a rule requiring the payment of the fees above referred to.

4. To covenant as to the use of the proceeds of the sale of the bonds authorized pursuant to this act.

5. To provide for the terms, form, registration, exchange, execution and authentication of bonds, and for the replacement of lost, destroyed or mutilated bonds.

6. To covenant that all revenues pledged for the payment of the bonds shall be duly segregated into a special fund or funds, and that the same shall be used solely for the purpose for which the same are intended and for no other purpose.

7. To covenant for the mandatory redemption of bonds on such terms and conditions as the resolutions authorizing such bonds shall prescribe.

8. To prescribe the procedure, if any, by which the terms of the contract with the bondholders may be amended, the number of bonds whose holders must consent thereto, and the manner in which such consent shall be given.

9. To prescribe the events of default and the terms and conditions upon which all or any bonds shall become or may be declared due before maturity, and the terms and conditions upon which such declaration and its consequences may be waived.

SECTION 12. Custody of funds.—The Treasurer of South Carolina is authorized to accept custody of funds derived from the imposition of the fees authorized by this act and intended for the payment of the principal and interest of the bonds herein authorized, and to utilize such funds for the payment of the principal and interest of the bonds

and for the special cushion or reserve fund whose creation is herein authorized, or the Board shall be empowered to select a corporate trustee whose duty it shall be to receive from the Treasurer of South Carolina and the officials of the University the fees collected under the authorization of this act and to utilize such funds for the payment of the principal and interest of the bonds and for the special cushion or reserve fund whose creation is herein authorized.

SECTION 13. No time limit for issuance of bonds.—The authorizations granted by this act shall remain of full force and effect until they shall be rescinded by subsequent enactment, and no time limit is set for the issuance of bonds pursuant to this act.

SECTION 14. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 5th day of March, 1965.

(R423, H1613)

No. 491

An Act To Authorize Clemson University And The University Of South Carolina To Construct Auditoriums And Related Facilities, And To Raise The Sum Of Four Million Dollars Therefor By The State Of South Carolina And Two Million Dollars By Each Institution; To Authorize The Issuance Of State Notes To The Extent Of Four Million Dollars For Such Purposes; To Authorize Clemson University And The University Of South Carolina, Each, To Issue Two Million Dollars Of Bonds Of The Institutions; To Prescribe The Conditions Under Which The Facilities May Be Constructed And The Notes And Bonds May Be Issued; And To Make Provision For The Payment Of The Notes And Bonds.

Be it enacted by the General Assembly of the State of South Carolina:

PART I

SECTION 1. Definitions.—(1) *Admission charge* shall mean the added charge to be imposed upon all paid admissions (of over fifty cents) required to be charged by this act and intended to provide funds to enable both Clemson and the University to repay the State for the advances made to each of the institutions pursuant to this act.

(2) *Clemson* shall mean Clemson University, located in Clemson, South Carolina.

(3) *Bonds of Clemson* shall mean the bonds of Clemson authorized by this act.

(4) *Bonds of the University* shall mean the bonds of the University authorized by this act.

(5) *Special student fee* shall mean the fee authorized to be imposed by Clemson and the University to provide funds for the repayment of the bonds authorized to be issued on behalf of Clemson and the University.

(6) *State Board* shall mean the State Budget and Control Board as constituted by Chapter 6, Title 1, Code of Laws of South Carolina, 1962.

(7) *Student* shall mean any person in attendance at any regular session of either Clemson or the University, enrolled in a sufficient number of classes or courses for which credit is given toward any degree offered by such institution, to be considered a full-time student.

(8) *Student fee* shall mean the charge to be imposed upon students intended to provide funds to enable both Clemson and the University to repay the State for the advances made to each institution pursuant to this act.

(9) *Trustees of Clemson* shall mean the Board of Trustees of Clemson.

(10) *Trustees of the University* shall mean the Board of Trustees of the University.

(11) *University* shall mean the University of South Carolina, located in Columbia, South Carolina.

SECTION 2. Findings of General Assembly.—As an incident to the enactment of this act the General Assembly has made the following findings:

(1) A definite and immediate need exists at Clemson and at the University for the facilities authorized by this act, and fully described hereinafter.

(2) The facility required for the University is a large building (now under design) housing an auditorium wherein concerts, lectures, athletic and other events may take place. The building is also intended to provide additional classrooms, offices and other facilities required for the functioning of the University. It is to be located on

land now owned or to be acquired by the University and it is presently estimated that its cost will be four million dollars.

(3) Clemson likewise requires a multi-purpose auditorium and facilities for many types of student activities. The cost of the Clemson multi-purpose auditorium is presently estimated to be two million dollars, and the cost of the other facilities is also presently estimated to be two million dollars.

(4) After due consideration, the General Assembly has determined to empower the Trustees of the University and the Trustees of Clemson to construct the facilities described above.

(5) Consideration has been further given to the means of raising moneys for such facilities, and it has been determined that the State will raise, through means of the authorizations set forth in this act four million dollars, of which two million dollars will be advanced to the Trustees of Clemson, and the remaining two million dollars will be advanced to the Trustees of the University, and that each institution will be authorized to raise the additional two million dollars required by each, in the manner prescribed in this act. It is intended that the moneys advanced to each institution by the State be repaid to the State from the proceeds of (a) an admission charge for each performance, contest or event which shall take place in the facilities to be constructed pursuant to this act, and (b) a student fee of two dollars and fifty cents per student per semester.

SECTION 3. Clemson may construct facilities.—The Trustees of Clemson are authorized to construct the facilities described in paragraph (3) of Section 2 of Part I.

SECTION 4. University may construct facilities.—The Trustees of the University are authorized to construct the facilities described in paragraph (2) of Section 2 of Part I.

SECTION 5. Admission fee and student fee to be imposed.—If each of the Trustees of Clemson and the Trustees of the University shall, by resolution duly adopted, agree to impose an admission charge upon all performances, contests or events which shall take place in the facilities constructed pursuant to this act, and to impose (in the manner prescribed by Section 6 of Part I) a student fee of two dollars and fifty cents per student per semester and shall further agree that the admission charge and the student fee shall remain in effect for so long a time as shall be required in order to repay in full all sums to be paid by the State by way of principal

and interest upon the notes to be issued pursuant to this act and notwithstanding that the period of time for which the admission charge and student fee be effective shall be of longer duration than the period of time over which the notes shall be outstanding then, in such event, notes of the State of South Carolina to the extent of four million dollars may be issued in the manner hereinafter provided.

SECTION 6. Student fee—further.—All students enrolling at each of the Fall (first) semester and Spring (second) semester of each school year shall pay, prior to attending any class or course, a student fee of two dollars and fifty cents. In the discretion of the Trustees of Clemson and the Trustees of the University, and in order to avoid a multiplicity of fees charged to students, the student fee required by this act may be included as a part of other fees payable by all students but, if such shall occur, it shall be the duty of the Trustees of Clemson and the Trustees of the University to account to the State Treasurer for it as though it had been imposed and collected as a fee separate and distinct from other fees charged to students.

SECTION 7. Notes may be issued—maturity—redemption—interest.—If the resolutions required by Section 5 of Part I shall have been adopted, the Governor and the State Treasurer, having first obtained the approval of the State Board, expressed in proper resolution, shall be empowered to issue notes of the State to the extent of not exceeding four million dollars. The notes shall mature in twenty successive, annual instalments, each maturing on anniversaries of the date the notes bear. The notes may, at the discretion of the State Board, be made subject to redemption prior to their stated maturities on such occasions and under such conditions as the State Board shall prescribe. The notes shall bear interest payable annually or semi-annually at such rates as the State Board may prescribe.

SECTION 8. Form.—The notes shall be in such form as the State Board shall prescribe, except that the notes issued in order to provide funds for Clemson shall state that they are issued on behalf of Clemson and the notes issued to provide funds for the University shall state that they are issued on behalf of the University.

SECTION 9. Execution.—All notes issued pursuant to this act shall be signed by the Governor and the State Treasurer. The Great Seal of the State shall be affixed to or reproduced upon each of them,

and each shall be attested by the Secretary of State. The delivery of the notes so executed and authenticated shall be valid notwithstanding any changes in officers or seal occurring after such execution or authentication. The notes may, if the State Board shall so prescribe, be issued as two fully registered notes—one on behalf of Clemson and one on behalf of the University.

SECTION 10. Exempt from taxes.—The principal and interest of the notes issued pursuant to this act shall have the tax-exempt status prescribed by Section 65-4.1, Code of Laws of South Carolina, 1962.

SECTION 11. Payment.—For the payment of the principal of and interest on the notes issued pursuant to this act there shall be pledged so much thereof as may be needed of the revenue derived from the tax imposed pursuant to Article 1, Chapter 12, Title 65, Code of Laws of South Carolina, 1962. Until payment of the principal and interest has been made or has been provided for, all sums received in each fiscal year from the tax referred to above shall be delivered to the State Treasurer and shall be applied by him to the payment of the principal and interest, and to the debt servicing of other outstanding obligations of the State also secured by a pledge of such revenues. Thereafter further revenues from such tax for the fiscal year may be used for other purposes. The General Assembly takes note of the fact that there are presently outstanding obligations of the State of South Carolina payable from the tax herein pledged, and it is hereby declared that the notes authorized by this act shall in all respects be on a parity with such outstanding obligations. The pledge of revenues derived from the tax above referred to shall not preclude the issuance by the State of further obligations secured, in whole or in part, by a pledge of such revenues on a parity with the pledge herein authorized, nor shall the pledge of revenues derived from such tax preclude the revision of such tax as to rate or method, either or both, if the State Auditor shall certify that his estimate of the revenue to be derived annually from the tax as thus revised will not be less than one hundred and twenty-five per cent of that sum which is equal to the maximum annual principal and interest requirements on all notes or obligations of the State for which the revenues derived from the aforesaid tax have been pledged. The certificate shall be appended to the enrolled Act and be presented to the Joint Assembly on the occasion such Act is presented for ratification.

SECTION 12. Proceeds from fees.—It shall be the duty of the Trustees of Clemson and the Trustees of the University to remit to the State Treasurer the entire proceeds derived from the admission charge and the student fee required to be imposed by the provisions of Section 6 of Part I.

SECTION 13. Payment further.—The admission charge and student fee from each institution shall be duly segregated and applied by the State Treasurer to the payment of the principal and interest of the notes issued on behalf of each institution, and to the extent that moneys are available from such sources, application of the revenues from the tax pledged by Section 11 of Part I to the payment of the notes shall be reduced.

SECTION 14. State Treasurer to maintain records.—The State Treasurer shall at all times maintain a record establishing the sums received from these sources in order that the Trustees of Clemson and the Trustees of the University may be kept advised of the period for which the fees must remain in effect at each of the institutions.

SECTION 15. South Carolina Retirement System may purchase notes.—The State Board may, in its capacity as trustee of the funds of the South Carolina Retirement System, purchase the notes herein authorized as an investment of the funds.

SECTION 16. Proceeds from notes.—The proceeds derived from the sale of the notes authorized by this act shall be delivered to the State Treasurer and shall be deposited by him in a special fund. Withdrawals from the fund to the extent of two million dollars may be made upon the order or requisition of the Trustees of Clemson and withdrawals from the fund to the extent of two million dollars may be made upon the order or requisition of the Trustees of the University. It shall at all times be lawful for the State Treasurer to make temporary investments of the funds derived from the proceeds of the notes issued pursuant to this act in obligations of the United States or any agency thereof, and all interest earned on such investments shall be applied by the State Treasurer to meet the payment of interest to become due on notes issued pursuant to this act. The interest so earned shall also be credited to the obligations of both Clemson and the University to repay to the State the aggregate of principal and interest of the notes, but such credits shall be apportioned in the light of the withdrawals made by each institution.

End of Part I

PART II

SECTION 1. Clemson and University may issue bonds.—In order to raise the remaining moneys required for the construction of the facilities authorized by this act, the Trustees of Clemson and the Trustees of the University are each respectively authorized to issue not exceeding two million dollars of bonds of Clemson and not exceeding two million dollars of bonds of the University, each payable from a special student fee in such amount as may be determined by the trustees of the issuing institution (and revised when necessary) to be necessary to provide the funds needed to effect the payment of the principal of and interest on the bonds authorized by this act and to provide a cushion or reserve therefor.

SECTION 2. Faith and credit of State not to be pledged.—The faith and credit of the State of South Carolina shall not be pledged for the payment of the principal and interest of the bonds of Clemson or the bonds of the University, and there shall be on the face of each bond a statement plainly worded to that effect. Neither the members of the Trustees of Clemson, the Trustees of the University, nor any other person signing the bonds shall be personally liable thereon.

SECTION 3. Resolutions to be adopted concerning issuance.—In order to utilize the authorizations of this act, the Trustees of Clemson (on behalf of Clemson) and the Trustees of the University (on behalf of the University) shall adopt resolutions providing for the issuance of the bonds authorized by Section 1 of Part II, within the limitations herein mentioned, and by resolution shall prescribe the tenor, terms and conditions of the bonds. The bonds of Clemson and the bonds of the University may be issued either as a single issue or from time to time as several separate issues. In the event that the bonds of Clemson or the bonds of the University shall be issued as two or more issues, then notwithstanding, all bonds of Clemson and all bonds of the University shall be on a parity in all respects inter sese and shall be equally and ratably entitled to payment from the source provided to meet the payment of bonds issued on behalf of the issuing institution. It is not intended that bonds of Clemson and bonds of the University be issued simultaneously, and the Trustees of Clemson and the Trustees of the University are authorized to proceed with the issuance of bonds pursuant to this act notwithstanding that bonds of the other institution may not be issued.

SECTION 4. Maturity—interest—redemption.—Both the bonds of Clemson and the bonds of the University shall be issued as serial bonds, maturing in equal or unequal amounts, at such times and on such occasions and shall be in such denomination as the trustees of the issuing institution shall determine; *provided,* always, that the last maturing bonds of any issue shall be expressed to mature not later than thirty years from their date, and the first maturing bonds of any issue, issued pursuant to this act, shall fall due within three years from their date. They shall bear such rate of interest, payable on such occasions as the trustees of the issuing institution shall prescribe, and shall be payable in such medium of payment, and at such place as such resolutions shall prescribe. All bonds maturing subsequent to fifteen years from their date shall be subject to redemption not later than fifteen years from their date, and on all subsequent interest payment dates prior to their respective maturities. All bonds may be issued with a provision permitting their redemption on any interest payment date prior to their respective maturities. Bonds made subject to redemption prior to their stated maturities may contain a provision requiring the payment of a premium for the privilege of exercising the right of redemption, in such amount as the trustees of the issuing institution shall prescribe in the resolutions authorizing their issuance. All bonds that are subject to redemption shall contain a statement to that effect on the face of each bond. The resolutions authorizing their issuance shall contain provisions, specifying the manner of call and the notice of call that must be given.

SECTION 5. Form.—The bonds may be in the form of negotiable coupon bonds, payable to bearer, with the privilege to the holder of having them registered as to principal on the books of the treasurer of the issuing institution, or registered as to principal on registry books kept for the issuing institution by a corporate trustee, and the principal thus made payable to the registered holder (unless the last registered transfer shall have been to bearer) upon such conditions as the trustees of the issuing institution shall prescribe, or the bonds may be issued as fully registered bonds. If issued as fully registered bonds, it may be provided that they may thereafter be converted into negotiable coupon bonds of the tenor first above described.

SECTION 6. Exempt from taxes.—The bonds authorized by this act and all interest to become due thereon shall have the tax-exempt status prescribed by Section 65-4.1, Code of Laws of South Carolina, 1962.

SECTION 7. Certain persons may invest in bonds.—It shall be lawful for all executors, administrators, guardians and fiduciaries and all sinking fund commissions to invest any moneys in their hands in such bonds.

SECTION 8. Execution.—The bonds and the coupons, if any, attached to the bonds, shall be executed in tthe name of the issuing institution, in such manner and by such persons as the trustees of the issuing institution shall from time to time determine, and the seal of the issuing institution shall be reproduced, affixed to or impressed on each bond. Any coupons attached to the bonds shall be authenticated by the facsimile signatures of one or more of the persons signing the bonds. The delivery of the bonds so executed shall be valid notwithstanding changes in officers or seal occurring after such execution.

SECTION 9. Disposition.—All bonds issued pursuant to this act shall be disposed of in such manner as the trustees of the issuing institution shall determine, except that no sale, privately negotiated without public advertisement, shall be made unless the approval of the State Board shall be obtained. If the trustees of the issuing institution shall elect to sell the bonds at public sale, at least one advertisement thereof shall appear in some newspaper of general circulation in South Carolina not less than ten days prior to the occasion fixed for the opening of bids. The proceeds of all bonds issued pursuant to this act shall be delivered to the State Treasurer and retained by him in a special fund or funds and applied solely to the purpose for which such bonds shall have been issued. Withdrawals from the fund shall be made on the order or requisition of the trustees of the institution for which such bonds have been issued and shall be in such form as the State Treasurer shall prescribe. It shall at all times be lawful for the State Treasurer to make temporary investments of funds derived from the proceeds of bonds issued pursuant to this act, in obligations of the United States or any agency thereof, and all interest earned on any such investments shall be paid over by the State Treasurer, at the direction of the trustees of the issuing institution, toward the payment of interest to become due on bonds of the issuing institution.

SECTION 10. Powers—special student fee.—To the end that the payment of the principal of and interest on the bonds of Clemson and the bonds of the University shall be adequately secured, the Trustees of Clemson and the Trustees of the University shall each be empowered:

(1) To place into effect (beginning with the Fall semester in the year 1965 or such subsequent time as the trustees of the issuing institution shall prescribe) and maintain and revise when necessary a special student fee upon all students, and in the discretion of the trustees of the issuing institution upon others who may from time to time be in attendance at such institution, in such amount as shall be determined to be necessary to provide for the punctual payment of the principal and interest of the bonds issued by such institution and to provide for an adequate cushion or reserve therefor. The special student fee shall bear such nomenclature as the trustees of the issuing institution shall prescribe, and it may, in the discretion of such trustees, be included as a part of any other fee, but under such circumstances it shall be the duty of the trustees to account for the same to the treasurer of the issuing institution or to the corporate trustee, if one shall be appointed pursuant to Section 11 of Part II of this act.

(2) To covenant and agree that throughout the life of the bonds issued by such institution, the special student fee shall be imposed, maintained and revised when necessary, in such amount (without limitation as to rate) as shall be sufficient to meet the payment of the principal and interest of the bonds as they become due, and to create such cushion or reserve fund therefor as may be deemed desirable by the trustees of the issuing institution. The cushion or reserve shall be used only to meet the payment of the principal and interest of the bonds under such conditions as the trustees of the issuing institution shall prescribe, and shall be set up in such manner as to insure its availability therefor.

(3) To establish a rule requiring the payment of the fee above referred to.

(4) To covenant as to the use of the proceeds of the sale of the bonds authorized pursuant to this act.

(5) To provide for the terms, form, registration, exchange, execution and authentication of bonds, and for the replacement of lost, destroyed or mutilated bonds.

(6) To covenant that all revenues pledged for the payment of the bonds shall be duly segregated into a special fund or funds, and that the revenues shall be used solely for the purpose for which they are intended and for no other purpose.

(7) To covenant for the mandatory redemption of bonds on such terms and conditions as the resolutions authorizing the bonds shall prescribe.

(8) To prescribe the procedure, if any, by which the terms of the contract with the bondholders may be amended, the number of bonds whose holders must consent thereto, and the manner in which the consent shall be given.

(9) To prescribe the events of default and the terms and conditions upon which all or any bonds shall become or may be declared due before maturity, and the terms and conditions upon which such declaration and its consequences may be waived.

SECTION 11. Custody of funds.—The treasurer of the issuing institution is authorized to accept custody of funds derived from the imposition of the special student fee imposed at such institution and intended for the payment of the principal and interest of the bonds issued by such institution, and to utilize the funds for the payment of the principal and interest of the bonds issued by the institution and for the special cushion or reserve fund whose creation is herein authorized, or the trustees of the issuing institution shall be empowered to select a corporate trustee whose duty it shall be to receive from the treasurer and other officials of the issuing institution the special student fee imposed at the institution, and to utilize the fee for the payment of the principal and interest of the bonds and for the special cushion or reserve fund whose creation is herein authorized.

SECTION 12. Not to affect powers previously granted to Clemson or University.—It is not intended by this act to in any way limit or restrict powers heretofore granted either to the Trustees of Clemson or to the Trustees of the University, and all authorizations heretofore granted to the Trustees of Clemson and to the Trustees of the University shall remain of full force and effect.

SECTION 13. Act not intended to limit facilities.—It is not intended to limit either Clemson or the University in the construction of the facilities authorized by this act to the sums herein provided for such purposes, and if either Clemson or the University shall by gift or grant obtain funds from other sources for such purposes then, in such event, either or both shall be empowered to accept such gift or grant and apply it to the facilities as now contemplated or to enlargements, improvements and extensions thereof.

End of Part II

This act shall take effect upon approval by the Governor.

Approved the 20th day of May, 1965.

(R484, H1670)

No. 492

An Act To Amend Act No. 904 Of 1960, As Amended, Granting To The Board Of Trustees Of The University Of South Carolina The Right To Acquire And Finance Additional Student And Faculty Housing Facilities By Increasing Such Authorization.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 1 of Act 904 of 1960 amended—University of South Carolina may borrow money for additional housing.—Section 1 of Act No. 904 of 1960, as amended, is further amended by striking "eight" on lines three and six and inserting in lieu thereof "ten". The section when amended shall read as follows:

"Section 1. The Board of Trustees of the University of South Carolina shall be empowered to acquire further student and faculty housing facilities to the extent of ten million dollars pursuant to the authorizations of this act. To that end, the Board of Trustees shall be permitted to borrow, from time to time, not exceeding in the aggregate, ten million dollars, and such further sum as the Board of Trustees may determine to borrow for the purpose of refunding all or any part of the outstanding revenue bonds of the University of South Carolina, payable from the entire revenues derived from all student and faculty housing facilities which it does now, or shall hereafter possess. So much of the proceeds of the loans herein authorized as shall not be required to retire outstanding bonds shall be used in the construction, reconstruction and equipping of dormitories or apartment buildings to be located on lands now or hereafter acquired by the University of South Carolina, and, to the extent necessary, to the defraying of the cost of the acquisition of land as a site for this use. Such dormitories or apartment buildings shall be used for the purpose of providing housing for students and faculty of the University of South Carolina."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 27th day of May, 1965.

(R73, H1186)

No. 493

An Act Providing For The Creation Of Watershed Conservation Districts In Abbeville County, And The Election Of Directors Of Watershed Conservation Districts And Their Powers And Duties; And Providing For A Levy Of Taxes For The Organization And Administration Of Such Districts, And For The Construction, Operation And Maintenance Of Works Of Improvement Within Such Districts.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Definitions.—Whenever used or referred to in this act, unless a different meaning clearly appears from the context:

(1) "Watershed conservation district" means a governmental subdivision of this State, and a public body corporate and politic, organized in accordance with the provisions of this act, for the purposes, with the powers, and subject to the restrictions hereinafter set forth.

(2) "Director" means one of the members of the governing body of a watershed conservation district, elected in accordance with the provisions of this act.

(3) "Supervisor" means one of the members of the governing body of the Abbeville Soil Conservation District in which any part of a watershed conservation district is situated.

(4) "Petition" means a petition filed under the provisions of Section 4 of this act for the creation of a watershed conservation district.

(5) "County" means Abbeville County of South Carolina.

(6) "Landowner" or "owner of land" includes any person, firm or corporation who shall hold legal or equitable title to any lands lying within a watershed conservation district organized under the provisions of this act.

(7) "Due notice" means notice published at least twice, with an interval of at least one week between the two publication dates, in a publication of general circulation within the appropriate area, or, if no such publication of general circulation be available, notice posted at a reasonable number of conspicuous places within the appropriate area, such posting to include, where possible, posting at public places where it is customary to post notices concerning county or municipal affairs generally.

SECTION 2. Watershed Conservation Districts may be formed in Abbeville County.—Authority is hereby granted to form water-

shed conservation districts within Abbeville County for the purpose of developing and executing plans and programs relating to any phase of the control and prevention of soil erosion, flood prevention, or the conservation, development, utilization, and disposal of water.

SECTION 3. Area.—The area embraced in a watershed conservation district must be contiguous and must lie within a well-defined watershed; and such area shall not include lands located within the boundary of any incorporated city or town, or lands embraced in another watershed conservation district.

SECTION 4. Petition for formation.—When twenty-five or more landowners within a proposed watershed conservation district, or, if less than fifty landowners are involved, a majority of such landowners, desire to form a watershed conservation district, they shall file a petition with the supervisors of the soil conservation district asking that a watershed conservation district be organized to function in the area described in the petition. Such petition shall set forth the proposed name of the watershed conservation district; that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory described in the petition; a description of the territory proposed to be organized as a watershed conservation district, which description need not be given by metes and bounds or by legal subdivisions, but shall be deemed sufficient if generally accurate; and the approximate number of acres of land included in the proposed watershed conservation district.

SECTION 5. Hearing on petition.—(1) Within thirty days after such petition has been filed with the supervisors of the soil conservation district, they shall cause due notice to be given of a hearing upon the question of the desirability and necessity, in the interest of the public health, safety, and welfare, of the creation of such watershed conservation district. All interested parties shall have the right to attend such hearing and to be heard. If it shall appear at the hearing that other lands should be included in the petition or that lands included in the petition should be excluded, the supervisors shall permit such inclusion or exclusion, provided the land area involved still meets the requirements of Section 3 of this act.

(2) If it appears upon the hearing that it may be desirable to include within the proposed watershed conservation district territory outside of the area within which due notice of the hearing has been

given, the hearing shall be adjourned and due notice of a further hearing shall be given throughout the entire area considered for inclusion in the proposed watershed conservation district, and such further hearing shall be held. After final hearing, if the supervisors of the soil conservation district determine, upon the facts presented at the hearing and upon other available information, that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory considered at the hearing, they shall make and record such determination, and shall define the area, but the description need not be given by metes and bounds. The description shall be deemed sufficient if generally accurate and the approximate number of acres of land included in the proposed watershed conservation district is shown.

(3) If the supervisors of the soil conservation district determine after such hearing that there is no need for a watershed conservation district to function in the territory considered at the hearing, they shall make and record such determination and shall deny the petition.

SECTION 6. Referendum.—After the supervisors of the soil conservation district have made and recorded a determination that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory considered at the hearing, and have defined the boundaries thereof, they shall consider the question whether the operation of a watershed conservation district within the proposed boundaries with the powers conferred upon it by this act is administratively practicable and feasible. To assist the supervisors in making this determination, they shall, within a reasonable time after the entry of a finding that there is need for the organization of a watershed conservation district and the determination of the boundaries thereof, hold a referendum within the proposed watershed conservation district upon the proposition of the creation of the watershed conservation district. Due notice of the referendum shall be given by the supervisors. Such notice shall state the date of holding the referendum, the hours of opening and closing the polls, and shall designate one or more places within the proposed watershed conservation district as polling places and shall give notice that the directors shall have the power of eminent domain. The supervisors shall have full charge of the referendum and shall have suitable ballots printed and furnished to each polling place; appoint necessary box managers and other referendum officials, and shall canvass the referendum and announce the results. The cost of holding the

referendum shall be paid from the general fund of Abbeville County. *Provided,* that notwithstanding any provision of law to the contrary the power of eminent domain shall not be exercised over the protest of any landowner until it is conclusively established that the land proposed to be condemned is absolutely essential to the creation and operation of the watershed conservation district.

SECTION 7. Question.—The question to be voted on shall be submitted by ballots upon which appear the words:

"For creation of ..... Watershed Conservation District"
"Against creation of ..... Watershed Conservation Ditrict"

A square shall follow each proposition. The ballot shall contain a direction to insert an "X" mark in the square following one or the other of the propositions as the voter may favor or oppose creation of the watershed conservation district. The ballot shall set forth the boundaries of the proposed watershed conservation district as determined by the supervisors of the soil conservation district. No one except owners of lands lying within the boundaries of the proposed watershed conservation district, as determined by the supervisors of the soil conservation district, shall be eligible to vote in the referendum. Qualified voters may vote by absentee ballot in the referendum under such rules and regulations as may be prescribed by the supervisors. No informalities in the conduct of the referendum or in any matters relating thereto shall invalidate the referendum or the result thereof if notice of the referendum shall have been given substantially as herein provided and the referendum shall have been fairly conducted.

SECTION 8. Results—district to be created if results and determination favorable.—The votes shall be counted by the referendum officials at the close of the polls and a report of the results along with the ballots shall be delivered and certified to the supervisors of the soil conservation district; and thereafter the supervisors shall determine whether the operation of the watershed conservation district within the defined boundaries is administratively practicable and feasible. If the supervisors determine that the operation of such district is not administratively practicable and feasible, they shall record such determination and deny the petition. If the supervisors determine that the operation of such district is administratively practicable and feasible, they shall record such determination and shall proceed with the organization of such district in the manner hereinafter set forth;

provided, however, that the supervisors shall not have authority to determine that the operation of such district is administratively practicable and feasible unless at least a majority of the votes cast in the referendum upon the proposition of the creation of such district shall have been cast in favor of the creation of such district. If the supervisors shall determine that the operation of such district is administratively practicable and feasible, they shall certify such determination to the Clerk of Court of Abbeville County and to the Secretary of State. Upon proper recordation of such determination, such watershed conservation district shall constitute a governmental subdivision of this State and a public body corporate and politic. After being recorded, such certification shall be filed with the State Soil Conservation Committee.

SECTION 9. Board of directors to govern district—nominating petitions—election—ballots—terms—officers—bond of treasurer. —(1) The governing body of the watershed conservation district shall consist of five directors, elected as provided herein.

(2) Within thirty days after a watershed conservation district has been created, nominating petitions may be filed with the supervisors of the soil conservation district to nominate candidates for directors of the watershed conservation district. No such nominating petition shall be accepted by the supervisors unless it is signed by twenty-five or more landowners within the watershed conservation district, or, if less than fifty landowners are involved, by a majority of such landowners. If the candidates nominated do not exceed the number of directors to be chosen, the supervisors shall declare them to be elected. No person shall be eligible to be a director of a watershed conservation district who is not a landowner in the watershed conservation district in which he seeks election.

(3) If the candidates nominated for directors of the watershed conservation district exceed the number of directors to be chosen, the supervisors of the soil conservation district shall, after having given due notice thereof, cause an election to be held within the watershed conservation district within a reasonable time after the expiration of the nominating period. The provisions of Sections 5, 6 and 7 of this act as to notice, qualifications of voters, absentee voting, and the manner of holding the referendum in organizing a watershed conservation district, shall apply insofar as practicable to the election of the directors. The names of all qualified nominees shall

be printed in alphabetical order upon ballots with a square before each name and a direction to insert an "X" mark in the square before any five names to indicate the voter's preference. Only landowners within the watershed conservation district shall be eligible to vote in the election. The five candidates who shall receive the largest number respectively of the votes cast in the election shall be the directors of the watershed conservation district, and shall, upon the supervision of the supervisors of the soil conservation district, be the governing body of the watershed conservation district.

(4) Of the directors first elected, the two receiving the largest number of votes shall serve for terms of four years, the two receiving the next largest number of votes shall serve for terms of three years, and the one receiving the next largest number of votes shall serve for a term of two years. The term of office of each of their successors shall be for four years, and until their successors have been appointed or elected and qualify. Vacancies shall be filled in the manner of the original appointment for the unexpired portion of the term only.

(5) The directors shall annually designate from among their number a chairman, secretary, and treasurer. The treasurer shall execute an official bond for the faithful performance of the duties of his office, to be approved by the directors. Such bond shall be executed by a surety company authorized to do business in this State and shall be in an amount determined by the directors. The premium on each bond shall be paid by the watershed conservation district.

SECTION 10. District to be corporate body—powers and duties. —A watershed conservation district organized under the provisions of this act shall constitute a governmental subdivision of this State, and a public body corporate and politic, exercising public powers, and such district and the directors thereof shall, subject to the approval of the supervisors of the soil conservation district, have the following powers, in addition to others granted in other sections of this act:

(1) To acquire, by purchase, exchange, lease, gift, grant, bequest, devise, or otherwise, or through condemnation proceedings in the manner provided in Sections 25-101 through 25-140 and Sections 33-121 through 33-148, Code of Laws of South Carolina, 1962, such lands, easements, or rights-of-way as are needed to carry out any authorized purpose of the watershed conservation district; and to sell, lease, or otherwise dispose of any of its property or interests therein in furtherance of the purposes and provisions of this act;

(2) To construct, reconstruct, repair, enlarge, improve, operate, and maintain such works of improvement as may be necessary or convenient for the performance of any of the operations authorized by this act;

(3) To borrow money and to execute promissory notes and other evidences of debt in connection therewith for payment of the costs and expenses of organizing the watershed conservation district or for carrying out any authorized purpose of such district, and if promissory notes are issued, to execute such mortgages on any property owned by such district, or assign or pledge such revenues or assessments of such district as may be required by the lender as security for the repayment of the loan; and to issue, negotiate, and sell its bonds as provided in Section 11 of this act;

(4) To levy an annual tax on the real property within the district subject to the limitations provided in Section 13 of this act for payment of the costs and expenses of organizing the watershed conservation district or for carrying out any authorized purpose of such district. Such levy shall be made only after approval by the supervisors of the soil conservation district and upon notifying the county auditor.

(5) Where watersheds cross county or state lines, the watershed directors are authorized to work with similar organizations in determining cost sharing to solve common problems.

SECTION 11. Bonds not to be issued unless referendum held.— (1) Bonds authorized by Section 10 of this act shall not be issued until proposed by order or resolution of the directors of the watershed conservation district, specifying the purpose for which the funds are to be used and the proposed undertaking, the amount of bonds to be issued, the rate of interest they are to bear, and the amount of any necessary tax levy in excess of the maximum authorized in Section 13 of this act. A copy of the order or resolution shall be certified to the supervisors of the soil conservation district.

(2) The supervisors shall hold a hearing on such proposal after having given due notice. If it appears that the proposal is within the scope and purpose of this act and meets all other requirements of the law, the proposal shall be submitted to the landowners of the district by a referendum held by the supervisors.

(3) The provisions of Sections 5, 6 and 7 of this act as to notice, qualifications of voters, absentee voting, and manner of holding the

referendum in organizing a watershed conservation district shall apply to the referendum held under this section.

(4) If two-thirds of the votes cast in such referendum favor the proposal, the directors shall, with the approval of the supervisors, be authorized to issue such bonds.

SECTION 12. Compensation.—The directors of the watershed conservation district shall receive no compensation for their services, but they may be reimbursed for expenses, including traveling expenses, necessarily incurred in the performance of their duties as approved by the supervisors of the soil conservation district.

SECTION 13. Budget—tax levy.—Within the first quarter of each calendar year, the directors of the watershed conservation district shall prepare an itemized budget of the funds needed for administration of the watershed conservation district and for construction, operation and maintenance of works of improvement. After approval of such budget by the supervisors of the soil conservation district, the county auditor shall levy a tax sufficient to meet such budget on all real property within the watershed conservation district of not to exceed five mills on each dollar of assessed valuation, except that this limitation shall not apply to any levy necessary to provide a sinking fund for the retirement of bonds authorized by Section 11 of this act. A copy of such budget shall be certified to the Auditor of Abbeville County.

SECTION 14. List of landowners and acres subject to assessment.—(1) The directors of the watershed conservation district, with the assistance of the county auditor, shall prepare a list of the landowners involved showing the number of acres subject to assessment.

(2) When the property tax rolls are delivered to the county treasurer by the county auditor, as required by law, the county treasurer shall compute the tax due the watershed conservation district from each landowner in accordance with the rate fixed by the directors and the value of the real property indicated on the tax roll. The computation shall be made on the regular tax bills.

SECTION 15. Collection of taxes.—(1) The county treasurer shall collect the taxes due the watershed conservation district at the same time in the same manner as he collects other taxes of the county.

(2) The taxes shall be subject to the same due and delinquency dates, discounts, penalties and interests as are applied to the collection of county taxes.

SECTION 16. Expenditures.—Tax funds collected shall be transferred to and held by the treasurer of the watershed conservation district for the specific purpose for which they have been collected. All expenditures of such funds shall be made by the directors of the watershed conservation district with the approval of the supervisors of the soil conservation district.

SECTION 17. Petition to have lands detached.—The owners of lands which have not been, are not and cannot be benefited by their inclusion in the watershed conservation district may petition the supervisors of the soil conservation district to have such lands detached. The petition shall describe such lands and state the reasons why they should be detached. A hearing shall be held by the supervisors within thirty days after the petition is filed and due notice of such hearing shall be given by the supervisors. If it is determined by the supervisors that such lands shall be detached, such determination shall be certified to the Auditor of Abbeville County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee.

SECTION 18. Petition for discontinuance of district—hearing—referendum—discontinuance if election and determination favorable.—(1) At any time after five years after the organization of a watershed conservation district, twenty-five or more landowners within such district, or if less than fifty landowners are involved, a majority of such landowners, may file a petition with the supervisors of the soil conservation district asking that the existence of the watershed conservation district be discontinued. The petition shall state the reasons for discontinuance, and that all obligations of the watershed conservation district have been met. The supervisors may conduct such hearings upon the petition as may be necessary to assist them in the consideration thereof.

(2) Within sixty days after such petition has been filed with the supervisors they shall give due notice of the holding of a referendum. The supervisors shall hold such referendum substantially as provided for in Section 11 of this act. The question shall be submitted by ballots upon which the words "For terminating the existence of the ..... Watershed Conservation District" and "Against ter-

minating the existence of the ..... Watershed Conservation District" shall be printed, with a square before each proposition and a direction to insert an "X" mark in the square before one or the other of the propositions as the voter may favor or oppose the discontinuance of such watershed conservation district. Only landowners within the watershed conservation district shall be eligible to vote in such referendum. No informality in the conduct of the referendum or in any matters relating thereto shall invalidate the referendum or the results thereof if notice of the referendum shall have been given substantially as herein provided and the referendum shall have been fairly conducted.

(3) The supervisors shall publish the results of the referendum and shall thereafter determine whether the continued operation of the watershed conservation district is administratively practicable and feasible. If the supervisors determine that the continued operation of the watershed conservation district is administratively practicable and feasible, they shall record such determination and deny the petition. If the supervisors determine that the continued operation of the watershed conservation district is not administratively practicable and feasible, they shall record such determination and shall certify such determination to the directors of the watershed conservation district; *provided,* however, that the supervisors shall not be authorized to determine that the continued operation of the watershed conservation district is administratively practicable and feasible unless at least a majority of the votes cast in the referendum shall have been cast in favor of the continuance of the watershed conservation district.

(4) Upon receipt from the supervisors of a certification that they have determined that the continued operation of the watershed conservation district is not administratively practicable and feasible, the directors shall forthwith proceed to terminate the affairs of the watershed conservation district. A copy of the determination shall be certified to the Auditor of Abbeville County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee.

SECTION 19. Supervisory authority if district discontinued.—If the Abbeville County Soil Conservation District is discontinued, all supervisory authority over the affairs of the watershed conservation district which was previously exercised by the supervisors shall thereafter be exercised by the governing body of Abbeville County.

SECTION 20. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of February, 1965.

(R182, H1345)

No. 494

An Act To Make Supplemental Appropriation For Abbeville County, To Authorize The Governing Body Of The County To Borrow Funds Under Certain Conditions And To Validate The Expenditure Of Certain Funds.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Supplemental appropriations for Abbeville County.—There is hereby appropriated from the general fund of Abbeville County the sum of ninety thousand dollars or so much thereof as may be necessary for the fiscal year July 1, 1964 to June 30, 1965 which shall be in addition to amounts appropriated in the Abbeville County Appropriations Act. Such money shall be used for further remodeling the county courthouse, for industrial development in conjunction with the county planning research and development board or the county water authority for water supply lines to the Abbeville County Hospital and for the development of rural fire protection in the county, if such undertakings are found to be desirable by the legislative delegation.

SECTION 2. Unspent money to be carried over.—In the event the undertakings provided for in Section 1 are not accomplished within the fiscal year 1964-1965 any unspent amount shall be carried over to fiscal year 1965-1966.

SECTION 3. Certain expenditures validated.—The thirty-five thousand dollars which was spent in excess of the amount appropriated by Act No. 434 of 1963 for the purposes enumerated in such act are hereby validated and approved.

SECTION 4. Money may be borrowed.—In the event the general fund of the county is insufficient to meet the amount appropriated in Section 1, the governing body of the county may borrow from a local bank such amount as may be necessary to make up the difference between the amount available and the amount appropriated under such terms and conditions as may be mutually agreed upon.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of March, 1965.

(R444, H1694)

No. 495

An Act To Provide For The Levy Of Taxes For School And County Purposes For The Fiscal Year Beginning July 1, 1965, And Ending June 30, 1966, For Abbeville County, And To Direct The Expenditure Thereof, And Otherwise Relating To The Fiscal Affairs Of Abbeville County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The Auditor of Abbeville County is hereby authorized to levy a sufficient millage on taxable property of Abbeville County to meet the appropriations herein made for the fiscal year beginning July 1, 1965, and ending June 30, 1966. There is hereby appropriated from the General Fund of Abbeville County the following sums for the following purposes:

ITEM A. SALARIES:

Auditor	$ 1,089.00
Clerk to Auditor	3,000.00
Treasurer	1,089.00
The auditor and treasurer are paid from State funds $4,161.00 each, and this together with county supplement gives each a salary of $5,250.00.	
Clerk to Treasurer	3,000.00
Sheriff	5,200.00
Assistant Jailor to Sheriff	400.00
Four Deputy Sheriffs at $4,500.00	18,000.00
Tax Collector and Purchasing Agent	4,800.00
Travel Expense, Tax Collector, etc.	600.00
Provided, the above shall be paid by order of the Supervisor, and two subsupervisors and the County Legislative Delegation, upon an itemized and verified claim of Tax Collector and Purchasing agent, not exceeding in any	

one month one-twelfth of the total allowance for the twelve months.

Supervisor	5,200.00
Clerk to Board and Tax Collector—Purchasing Agent	3,000.00
County Commissioners (2) @ $600.00	1,200.00
Clerk of Court	5,200.00
Assistant to Clerk of Court	3,000.00
Judge of Probate	5,200.00
Clerk to Judge of Probate	3,000.00
Attorney	600.00
Coroner	750.00
Clerk-Stenographer (For Sheriff, Magistrate, Coroner, Soil Conservation and Delegation)	3,000.00
Total	**$ 67,328.00**

ITEM B. COURT EXPENSES:

Jurors and Witnesses	$ 8,000.00

Provided, that jurors for the Court of Common Pleas and General Sessions shall be paid at the rate of $7.50 per day. *Provided,* further that the jury boy shall receive $5.00 per day and the court crier and bailiff shall receive $7.50 per day.

Magistrates' Courts:	
Abbeville	2,000.00
Donalds	325.00
Due West	325.00
Calhoun Falls	600.00
Lowndesville	325.00
Diamond Hill	325.00
Constables:	
Donalds	300.00
Due West	300.00
Calhoun Falls	450.00
Lowndesville	300.00
Diamond Hill	300.00
Lunacies, Post Mortems and Inquests	1,250.00

Provided, that the Sheriff shall serve civil and criminal papers pertaining thereto. In the

	event that the Coroner of Abbeville County is sick, or otherwise disqualified, the Magistrate of Abbeville County shall hold post mortems and inquests without compensation; *provided,* further that the examining physicians be paid $10.00 each per examination.	
	Total	$ 14,800.00
ITEM C.	PUBLIC OFFICES:	
	Printing, postage and stationery	$ 6,000.00
	Telephone and telegraph, courthouse and phones of other county officials, assignment of telephones to be made by county governing board	2,000.00
	Premiums of county bonds and recording of same	750.00
	Total	$ 8,750.00
ITEM D.	PUBLIC HEALTH:	
	Mental Health Clinic	$ 4,000.00
	County Heath Unit, if so much be necessary, for use by the County Health Department in carrying on proper health program to be agreed upon by the county legislative delegation and the State Board of Health	12,000.00
	Rent on Health Clinic at Donalds, S. C., payable $25.00 per month, beginning the first day of July, 1965	300.00
	Rent on Health Clinic at Antreville, $12.00 per month	144.00
	Total	$ 16,444.00
ITEM E.	PUBLIC BUILDINGS:	
	Janitor, Courthouse	$ 2,000.00
	Water, heat, lights, supplies and services for courthouse	6,500.00
	Insurance	3,000.00
	Totai	$ 11,500.00

ITEM F. SPECIALS:

Boards of Assessment and Equalization....	$ 1,000.00
Board of Registration, if so much be needed ..	500.00
Abbeville County Service Officer—monthly basis	1,320.00
Cost of service and maintenance of Mobile Telephone Service for the Law Enforcement Department of the County, under the supervision of the Sheriff	1,200.00
Abbeville County Memorial Hospital ..... Payable to Abbeville County Memorial Hospital, on equal monthly basis. *Provided,* that the sum appropriated for the Abbeville County Memorial Hospital may be reduced by the amount accruing to the county from State revenues allocated for hospitalization.	15,000.00
Development Board	5,000.00
Auditing Books for Abbeville County	2,000.00
Civil Air Patrol ..... (for county-wide services)	600.00
Civil Defense ..... (for county-wide services)	1,500.00
Contingent Fund	10,000.00
Abbeville County Library Board of Trustees	5,400.00
Company Commander, 263rd Signal Co., Abbeville, S. C.	1,400.00
American Legion Commander, American Legion Post No. 72, Calhoun Falls, S. C., and Auxiliary	200.00
Abbeville American Legion, Post No. 2 and Auxiliary	200.00
South Carolina Retirement System, County's Part	4,000.00
Social Security, County's Part	5,000.00
Treasurer, Abbeville County Council of Boy Scouts	150.00
Treasurer, Girl Scouts	150.00
Lunch Room Program	1,050.00
Agents (payable $20.00 per month)	240.00
Secretary to Farm and Home Demonstration	

	County Agent:	
	Stamps, telephone, supplies	95.00
	Monthly expense for County Agent	300.00
	Girls' 4-H Club Work	150.00
	Boys' 4-H Club Work	150.00
	Home Demonstration Agent—supplies	75.00
	Girls' Future Homemakers of America—camping expenses	250.00
	Boys' Future Farmers of America—camping expenses	200.00
	Forestry, to be used as determined by Forestry Commission	750.00
	Total	$ 57,880.00
ITEM G.	JAIL EXPENSES:	
	Including dieting of prisoners and janitor	$ 4,800.00
	Lights and water	700.00
	Fuel	750.00
	Repairs to automobile, gas and oil for Sheriff	3,600.00
	Provided, that claims for gas and oil are to be paid monthly and before such claims shall be paid as valid claims against the county, the Sheriff must take an oath that the gas and oil consumed was used only in the enforcement of criminal law.	
	Provided, further, that the jailor shall diet all prisoners in his care and the janitor at one dollar and twenty-five cents per day each. All accounts for dieting of prisoners and the janitor shall be presented, duly attested, to the supervisor and subsupervisors and by them allowed or rejected.	
	Deputy sheriff's uniforms	600.00
	Total	$ 10,450.00
ITEM H.	COUNTY HOME AND FARM:	
	Chaplain and funeral expenses	$ 600.00
	The Supervisors and subsupervisors are given authority to exchange any produce, such as hay, corn, oats, cattle or hogs for fertilizer,	

ingredients to be used on the County Farm or roads of the county, for the purpose of growing truck for the purpose of feeding prisoners only, and an account to be kept of such transactions and a report to be made to the delegation. All other funds received from the sale of livestock and produce shall go into the General Fund of Abbeville County unless otherwise authorized by the County Legislative Delegation.

Total ..... $ 600.00

ITEM I. ROADS AND BRIDGES:

Maintenance of roads and bridges and purchasing of new road machinery and trucks, under jurisdiction of supervisor and subsupervisors ..... $ 76,000.00

Total ..... $ 76,000.00

ITEM J. INTEREST, ETC.

Interest on county indebtedness ..... $ 1.00

Total ..... $ 1.00

ITEM K. PUBLIC WELFARE:

To pay Abbeville County Department of Public Welfare for use as an emergency fund payable on the order of the County Board of Public Welfare ..... $ 1,200.00

Provided, that no payment shall exceed the sum of $25.00 to any one family or person.

Abbeville County Department of Public Welfare for use as Physician's Fee Fund, payable on order of the County Board of Public Welfare 600.00

Provided, that no physician's fee shall be expended except to call on persons on the relief roll of Abbeville County who are unable to attend the clinics provided by Abbeville County Health Department.

	Abbeville County Department of Public Welfare—for office supplies	100.00
	Abbeville County Department of Public Welfare, for one additional clerical worker, payable $150.00 per month	1,800.00
	County Director of Public Welfare, supplemental salary, payable $30.00 per month	360.00
	Public Welfare members (3), payable $7.50 per month	270.00
	Each member of Public Welfare Staff, Social Workers, expense account—four members $120.00 each, payable $10.00 per month	480.00
	Each member of Public Welfare Staff, Clerical workers—three members $120.00 each, payable $10.00 per month	360.00
	Total	$ 5,170.00
ITEM L.	MISCELLANEOUS	$ 1.00
	Total	$ 1.00
GRAND TOTAL		$268,924.00
	Less Estimated Revenue Other than Taxes:	
	Road Tax	$ 1,300.00
	Income Tax	30,000.00
	Liquor Tax	20,000.00
	Beer and Wine Tax	5,000.00
	Gas Tax	76,000.00
	Bank Tax	2,000.00
	Insurance License Fees	15,000.00
	Fines and Fees	36,000.00
	Forestry	12,000.00
	Total	$197,300.00
TOTAL TO BE RAISED BY TAXATION		$ 71,624.00

SECTION 2. The subsupervisors shall have equal authority in county matters with the supervisor; *provided,* that the statement of affairs of the county shall be posted on the bulletin board in front of

the courthouse and published in the newspapers as now provided by law; that unless the supervisor publishes the statement it shall be unlawful for the county treasurer to pay the salary of the supervisor; *provided,* that the county treasurer shall pay all county officers monthly instead of quarterly. *Provided,* further, that in the maintenance of county roads the supervisor is hereby authorized to expend not more than one-fourth of the appropriation during each quarter of the calendar year.

SECTION 3. The Board of Trustees of School District No. 60 of Abbeville County shall prepare a budget for cost of operation of the schools, maintenance of buildings and equipment within the district, and determine the number of mills required to be levied to finance same. They shall then certify at an appropriate date the budget and millage required for the year to the county board of education. The county board of education shall review the budget and recommend millage so submitted, making such changes as the board of education may deem necessary; then, with the advice and consent of the legislative delegation, the county board of education shall certify the millage required to the Auditor of Abbeville County, whereupon the county auditor shall levy the required tax upon all the taxable property within the district, and the Treasurer of Abbeville County shall collect the same in like manner as all taxes are collected, and place the same in the district school account, to be disbursed for the declared purpose in the manner fixed by law and in keeping with the budget submitted.

SECTION 4. The money appropriated above as a contingent fund is to be used and paid out at the direction of the county delegation.

SECTION 5. The various items herein appropriated for the purposes herein specified shall be used exclusively as provided for in this act, and any transfer of funds from one item to another is hereby specifically prohibited, and any officer who violates this provision shall be deemed and considered guilty of malfeasance in office. *Provided,* that the transfer of any of the items may be made by the written consent of the Abbeville County Delegation, and upon such transfers being made, such sum shall be expended only for the purposes designated by such transfers.

SECTION 6. If there shall not be sufficient funds available for the full payment of the notes, if any have been executed by the county board to secure the loans for the fiscal year 1964-65, ending June 30,

1965, then in that case the county governing board is authorized to renew such note or notes for any balance or balances which may be due and unpaid for such time as funds may become available for the payment of same.

SECTION 7. Any unexpended balance in any department, at the end of the fiscal year 1964-65, with all delinquent taxes, other than school taxes, which shall be collected in the fiscal year 1965-66, shall be placed in the contingent fund. The legislative delegation shall direct that this fund be used for county purposes and if it is found that the tax levy can be reduced, the delegation shall instruct the auditor to reduce the same.

SECTION 8. The Abbeville County Legislative Delegation may, at any time, order the discontinuance and storage of any motor car or other equipment owned or hereafter to be owned by Abbeville County.

SECTION 9. The county legislative delegation is hereby authorized and empowered to secure the services of a public accountant to make an audit of the county books for the fiscal year 1965-1966.

SECTION 10. In the event the county needs legal advice of any sort, the Abbeville County Governing Board shall employ an attorney of its choice and shall pay for such legal advice from the contingent fund, or by annual appropriation.

SECTION 11. The salaries fixed herein for the clerk of court of common pleas and general sessions and register of mesne conveyances, sheriff, county treasurer, judge of probate and county auditor shall be in full compensation and all fees to be collected by law for items placed in their hands, on and after July 1, 1965, shall be turned over to the county treasurer as provided in Section 14-712 of the Code of Laws of South Carolina, 1962; *provided,* that should any officer fail to comply with the above stated acts, the county governing body shall withhold payment of salary of said officer until such is done.

SECTION 12. The Abbeville County Delegation may add new items to Item L, Miscellaneous, and transfer from the contingent fund, for the payment thereof.

SECTION 13. The supervisor and the subsupervisor are hereby prohibited from entering into a contract for the county whereby any legal counsel is employed to prosecute or defend any suit in the State,

county, or any official thereof, or agree to pay any legal fees to counsel whether authorized by the courts, or not, without having first obtained the written consent of the Abbeville County Legislaive Delegation.

SECTION 14. All authorizations for transfers for the 1964-1965 Appropriations Act of Abbeville County to all departments of county government are hereby ratified, confirmed and validated.

SECTION 15. The county governing board of Abbeville County is hereby authorized and directed to borrow the sum of seventy-five thousand dollars, if so much be necessary, to be credited to the general county fund, and used for general county expenses in the event that the sums herein appropriated should be insufficient to meet the needs of the county for the period covered by this act.

SECTION 16. Such indebtedness, if created, shall be evidenced by a note and such note shall bear interest at the rate of not to exceed five per cent per annum; shall be payable one year from date, and shall be signed by the chairman and the members of the county governing board.

SECTION 17. The county treasurer is hereby authorized to credit the proceeds of the loan to the general county fund.

SECTION 18. The indebtedness evidenced by the note provided for herein shall be repaid from the proceeds of the tax levy for the fiscal year 1965-1966.

SECTION 19. No long distance telephone calls shall be charged to the county except such as are necessary in performing a public duty in connection with the administration of the affairs of the county, and no claim for any such calls shall be approved or paid unless on a verified, itemized claim showing the name of the person making the call, the person to whom the call was made and the date and purpose thereof.

SECTION 20. All purchases for the officials of Abbeville County shall be by the county purchasing agent in keeping with Act of 1965, or Sections 14-731 and 14-732, Code of Laws of South Carolina, 1962.

SECTION 21. All gasoline used by the Sheriff's Department will be supplied from the tank at the Abbeville County Farm. At the time any

gasoline is pumped from the tank and oil furnished, the same shall be signed for by the party getting the gasoline or oil at the fueling place. In case there should be an emergency on the road, then the Sheriff's Department is permitted to purchase gasoline and oil and furnish an itemized statement for same.

SECTION 22. Any necessary expenses incurred by the legislative delegation, auditor and coroner pertaining entirely to county business will be reimbursed out of the contingent fund by furnishing the county governing board with a statement of expenditures.

SECTION 23. All appropriations made herein and all unappropriated and unpledged surplus funds in the hands of the Treasurer of Abbeville County are subject to the right and authority of the county legislative delegation, to alter, increase or deduct therefrom at any time, when, in their judgment, such alterations, increases or deductions are necessary for the best interest of the county and to conform with the revenue expected during the life of this act. All surplus funds resulting from unused appropriations may be transferred to the contingent fund, and the contingent fund is to be used and paid out at the direction of the county legislative delegation as set forth hereinabove.

SECTION 24. In order to effect the payment of the principal and interest of the outstanding Road Improvement Bonds of Abbeville County maturing on June 1, 1966, the treasurer shall set apart in a special fund the amount to become due by way of principal and interest on such bonds, and shall transfer to the general fund of the county any surplus in the special sinking fund set up for the payment of these bonds.

SECTION 25. The records pertaining to the business of Abbeville County shall be open to inspection by any member of the county legislative delegation or to any citizen of Abbeville County.

SECTION 26. Each agency or department of the county shall keep an up-to-date stock record of all properties or goods purchased with appropriated funds, a copy of which shall be filed with the clerk of court and the county governing board at the end of each fiscal year.

SECTION 27. Each agency or department of the county receiving appropriated funds shall, at the end of each fiscal year, file with the clerk of court and the county governing board an accounting as to the

use of such funds. This accounting shall be available for examination or inspection by the citizens of Abbeville County.

SECTION 28. The county governing board shall consist of a county purchasing agent, county treasurer, supervisor, subsupervisors and the county legislative delegation.

SECTION 29. This act shall take effect upon approval by the Governor.

Approved the 20th day of May, 1965.

(R533, S369) **No. 496**

An Act To Amend Act No. 1128 Of 1964, Relating To The Piedmont Technical Education Commission, So As To Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 1 of Act 1128 of 1964 amended—findings of General Assembly.—Section 1 of Act No. 1128 of 1964 is amended by striking "Laurens," on line six. The section when amended shall read as follows:

"Section 1. The General Assembly finds that by legislation enacted pari materia there has been created the Piedmont Technical Education and Training District (hereafter called the 'district'), which is governed by the Piedmont Technical Education Commission (hereafter called the 'commission'), for Abbeville, Greenwood, McCormick and Saluda Counties, in order that these counties may cooperate with the program instituted by Section 21-701 of the 1962 Code to promote a program of vocational and technical education in the State.

The General Assembly further finds that there is an immediate need that such a program be instituted in the district. Under the provisions of the State program, it is required that cooperating counties furnish the facilities necessary to implement the program and thereafter supervise and maintain them. Surveys conducted indicate that suitable facilities and equipment, located in a convenient place, are necessary before the State program can begin to function in the district. The General Assembly has therefore determined to authorize the commission to issue general obligation bonds of the district to the extent herein pro-

vided, in order to provide the commission with the funds required for the construction and equipping of the facilities. In so determining, the General Assembly has found that the basic purpose for the program is to educate, in technical and vocational fields, those to whom the program will become available, and the purpose of the expenditure is educational."

SECTION 2. Section 2 of Act 1128 of 1964 amended—bond issue authorized.—Section 2 of Act No. 1128 of 1964 is amended on line three by striking ", as it exists on July 1, 1964,". The section when amended shall read as follows:

"Section 2. In order to provide funds to be expended by the commission for the construction and equipping of appropriate facilities, the commission is authorized to issue and sell general obligation bonds of the district in an aggregate principal amount not exceeding three hundred seventy-five thousand dollars."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R597, H1814)

No. 497

An Act To Amend An Act Of 1965 Bearing Ratification No. 444, Relating To The Fiscal Affairs Of Abbeville County, So As To Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The provisions of ITEM F of Section 1 of an Act of 1965 bearing Ratification No. 444, relating to the Abbeville County Service Officer, is amended to read as follows:

"Extra stenographic and clerical assistance as necessary—monthly basis .....$ 1,320.00".

SECTION 2. The provisions of ITEM F of Section 1 of an Act of 1965 bearing Ratification No. 444, relating to the cost of service and maintenance of Mobile Telephone Service for the Law Enforcement Department of the County, is amended to read as follows:

"Cost of service and maintenance of Mobile Telephone Service for the Law Enforcement De-

partment of the County, under the supervision of the Sheriff, including Mobile Telephone Service utilized by the office of the County Supervisor ..... $ 1,200.00".

SECTION 3. This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R599, H1836)

No. 498

An Act To Authorize The Governing Body Of Abbeville County To Borrow Not Exceeding Three Hundred Sixty Thousand Dollars For The Construction Of County Roads; To Provide That The Roads Shall Be Constructed By The State Highway Department Pursuant To A Contract Of Reimbursement To Be Made Between The Governing Body And The State Highway Department; And To Provide For The Payment Of The Loan.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that by Section 65-1075 of the 1962 Code provision was made for the continuance of the so-called Farm-to-Market or State Secondary Highway program for the period to end June 30, 1972, and that it was therein provided the method by which funds available for such purpose should be apportioned among the counties of the State.

Pursuant to the program, funds were made available for Farm-to-Market roads in Abbeville County for the fiscal year ending June 30, 1964, an amount in excess of one hundred twenty thousand dollars, and it is to be reasonably anticipated that during each fiscal year throughout the period to end June 30, 1972, further substantial apportionments will be made.

In Abbeville County it has been determined that an immediate need exists for further Farm-to-Market roads, and that the Governing Body of Abbeville County (the board) should be empowered to borrow not exceeding three hundred sixty thousand dollars and to make such sum available to the State Highway Department which, in turn, should apply it to the construction of the most-needed county

roads in Abbeville County, which have been transferred to and become a part of the State's Secondary Highway System (Farm-to-Market roads).

SECTION 2. Abbeville County may borrow money for road construction.—If a suitable agreement can be reached between the board and the State Highway Department providing that the State Highway Department shall construct Farm-to-Market roads in Abbeville County to an extent mutually agreed upon and divert moneys which would otherwise be expended in future years for Farm-to-Market roads in Abbeville County, to the extent estimated to be necessary to meet the payment of the prinicipal of the obligation herein authorized, the board is authorized to borrow three hundred sixty thousand dollars which shall be repaid in six equal, successive, annual installments, with interest at a rate to be agreed upon by the board and the lender, the first annual instalment to become due and payable not later than October 1, 1966.

SECTION 3. Notes—form—execution—exempt from taxes.—Notes issued pursuant to this act shall be in such denominations and form as the board shall approve, shall be executed as the board shall prescribe, and may be subject to redemption as the board shall determine. The notes and the interest thereon shall have the tax-exempt status prescribed by Section 65-4.1 of the 1962 Code.

SECTION 4. Payment.—For the payment of the principal and interest of the note issued pursuant to this act, the full faith, credit and taxing power of Abbeville County, shall be irrevocably pledged, and there shall be levied annually by the Auditor of Abbeville County, and collected by the Treasurer of Abbeville County, in the same manner as county taxes are levied and collected, a tax without limit, on all taxable property in Abbeville County, sufficient to pay the principal and interest on the note as it becomes due and to create such sinking fund as may be necessary therefor; *provided,* that the ad valorem tax levy shall be reduced to the extent that there has been paid to the county treasurer by the State Highway Department moneys pursuant to the reimbursement agreement herein authorized, on the occasion in each year when the ad valorem tax levy is to be made, and in all instances where an annual tax levy is so reduced, the moneys received from the reimbursement agreement shall be applied to the payment of such principal and to no other purpose.

SECTION 5. Proceeds.—The proceeds derived from any note issued pursuant to this act shall be paid to the Abbeville County Treasurer, and shall be deposited in a special account and shall be first applied to the expenses incident to issuance of the note and so much as remains thereafter shall be turned over to the State Highway Department and applied by it on Farm-to-Market roads in Abbeville County.

SECTION 6. Reimbursement agreement.—The State Highway Department is hereby authorized to reimburse Abbeville County for all moneys turned over to it by Abbeville County pursuant to this act. This reimbursement shall be made in annual instalments (in amounts not exceeding the annual debt service on the obligation) out of the apportionment of funds accruing to Abbeville County under the State Highway Department's Farm-to-Market Construction Program and by reason of the statute, if so much thereof shall accrue to Abbeville County. The State Highway Department shall not be obligated to the repayment to Abbeville County for any instalment due under its reimbursement agreement unless sufficient amounts for the instalments shall accrue to Abbeville County under the State Farm-to-Market Construction Program. The State Highway Department shall not be required to pay any interest to Abbeville County for funds turned over to the department pursuant to the provisions of this act. If, during any year, the apportionment to which Abbeville County is entitled exceeds the sum required to meet the annual instalment of principal or interest of the note in that year, then the excess shall be applied by the State Highway Department as if no reimbursement agreement had been entered into.

SECTION 7. Powers to be additional.—The powers and authorizations conferred upon the board and the State Highway Department shall be in addition to all other powers and authorizations previously vested in them.

SECTION 8. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R705 S432)

No. 499

An Act To Make A Supplemental Appropriation For Abbeville County And To Authorize The Governing Body Of The County To Borrow Funds Under Certain Conditions.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. There is hereby appropriated from the General Fund of Abbeville County the sum of thirty thousand dollars, or so much thereof as may be necessary, for the fiscal year July 1, 1965 through June 30, 1966, which shall be in addition to amounts appropriated in the Abbeville County annual appropriations act. The appropriation shall be used for Abbeville County's share of the expenditures made by the Piedmont Technical Education Commission.

SECTION 2. In the event the undertakings provided for in Section 1 are not accomplished within the fiscal year 1965-1966, the unspent amount shall be carried over to the fiscal year 1966-1967.

SECTION 3. In the event the General Fund of the county is insufficient to meet this appropriation, the governing body of the county may borrow from the Division of General Services of the Budget and Control Board or any other source the amount necessary to make up the difference between the amount available and the amount appropriated under such terms and conditions as may be mutually agreed upon.

SECTION 4. Should the money be borrowed from the Division of General Services and should there be default in any payment, the State Treasurer is directed to withhold any funds accruing to the county and to transmit them to the Division of General Services.

SECTION 5. This act shall take effect July 1, 1965.

Approved the 18th day of June, 1965.

(R275, H1382)

No. 500

An Act Directing The South Carolina State Highway Department To Remove A Portion Of A Certain Road In Aiken County From Its System, To Close Such Portion To Public Use And To Direct That Aiken County Shall Retain The Right Of Way.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Portion of road in Aiken County to be closed.—The South Carolina State Highway Department shall remove from its system a part of road S-200 in Aiken County, from its intersection with road S-731, and running south and southeasterly to its intersection with road S-47, an approximate distance of nine-tenths of a mile. This portion of that road shall be closed for public use but the right of way shall be retained by Aiken County.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of April, 1965.

(R518, S151) **No. 501**

An Act To Authorize The County Board Of Aiken County To Issue And Sell Not Exceeding Eight Hundred Forty Thousand Dollars Of General Obligation Bonds Of Aiken County So As To Provide Funds For Capital Expenditures For Aiken County; To Prescribe The Conditions Under Which The Bonds Shall Be Issued; And To Make Provision For The Payment Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds, after due investigation, that there is an immediate need for capital expenditures in Aiken County for the following purposes:

(1) Improvements and repairs to the Aiken County Courthouse, improvements to and conversion of the Aiken County Jail to other county purposes, construction of new jail and other facilities at the Aiken County Stockade, construction of an addition to the parking lot at the Aiken County Courthouse, microfilming certain records in the office of the Aiken County Clerk of Court, mechanization of certain operations in the offices of the Aiken County Clerk of Court and Auditor, and other necessary capital improvements in connection with other public buildings owned by Aiken County. It is estimated that the cost will be approximately three hundred ninety-five thousand dollars;

(2) Improvements to the Aiken County Center of the University of South Carolina. It is estimated that the cost will be approximately twenty-five thousand dollars;

(3) Road and highway drainage program. It is estimated that the cost will be approximately forty thousand dollars;

(4) A program by which each and every parcel of real property in Aiken County will be photographed, mapped and valued, in order that upon the completion of the program all real property in Aiken County shall be assessed in a manner conformable to the applicable constitutional and statutory provisions controlling the assessment of property. It is estimated that the cost of this program will be three hundred thirty thousand dollars; and

(5) For the reclamation of an area of swamp land, owned by Aiken County, (having been recently donated to Aiken County) near Clearwater in Aiken County, in order that it may be hereafter used as a site for public buildings and other county purposes. It is estimated that the cost of this project will amount to fifty thousand dollars.

On the basis of these findings the General Assembly has determined to permit the County Board of Aiken County, established by Section 14-752, Code of Laws of South Carolina, 1962, (the county board) to raise eight hundred forty thousand dollars through the issuance of the bonds and by this act.

SECTION 2. Bond issue authorized.—In order to provide funds to be expended for the purposes set forth in Section 1 of this act the county board is hereby authorized to issue and sell general obligation bonds of Aiken County in an aggregate principal amount of not exceeding eight hundred forty thousand dollars.

SECTION 3. Issues.—The bonds authorized by this act may be issued as a single issue, or from time to time as several separate issues, for the purposes enumerated singularly or separately.

SECTION 4. Denominations and maturity.—The bonds shall be in such denominations and shall mature in such annual series or installments as the county board shall provide for, except that the last maturing bonds shall mature not later than twenty-five years from the date as of which the bonds shall be issued

SECTION 5. Redemption.—The bonds issued pursuant to this act may be issued with a provision for their redemption prior to their

stated maturities at par and accrued interest, plus such redemption premium as may be prescribed by the county board, but no bond shall be redeemable before maturity unless it contains a statement to that effect. If bonds are made subject to redemption, provision shall be made in the proceedings authorizing the issuance of the bonds, specifying the manner of call and the notice thereof that must be given.

SECTION 6. Form.—The bonds shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Aiken County, upon such conditions as the county board may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

SECTION 7. Where payable.—The bonds issued pursuant to this act shall be made payable at such place, within or without the State, as the county board shall provide.

SECTION 8. Interest.—Bonds issued pursuant to this act shall bear interest at rates determined by the county board.

SECTION 9. Execution.—The bonds and the coupons to be thereunto attached shall be executed in such manner as the county board shall by resolution provide.

SECTION 10. Sale.—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. The published notice shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 11. Payment.—For the payment of the principal and interest of all bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of Aiken County shall be irrevocably pledged, and there shall be levied annually by the Auditor of Aiken County, and collected by the Treasurer of Aiken County, in the same manner as county taxes are levied and collected, a tax without limit on all taxable property in Aiken County, sufficient to pay the principal and interest of such bonds as they respectively mature, and to create such sinking fund as may be necessary therefor.

SECTION 12. Exempt from taxes.—The principal and interest of any bonds issued pursuant to this act shall have the tax-exempt status prescribed by Section 65-4.1 of the Code of Laws of South Carolina, 1962.

SECTION 13. Proceeds.—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of Aiken County and shall be deposited in a bond account fund, and shall be expended and made use of as follows:

(a) Any accrued interest shall be applied to the payment of the first installment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first installment of principal of such bonds.

(c) The remaining proceeds shall be expended, on the warrant of the county board, to defray the cost of issuing the bonds authorized hereby and for the purposes set forth in Section 1 of this act. The amount spent upon each of the projects enumerated in Section 1 shall be in the discretion of the county board, but all projects shall be undertaken in the light of the estimate of costs made in Section 1, it being merely intended that if one project shall cost less than that sum now estimated, any savings so resulting may be applied to some other of the projects whose cost may exceed the sum now estimated therefor.

(d) If any balance remain it shall be held by the Treasurer of Aiken County in a special fund and used to effect the retirement of bonds authorized hereby; *provided,* that the purchaser of the bonds herein authorized shall be in no way responsible for the proper application of the proceeds.

SECTION 14. Powers to be additional.—The powers and authorizations hereby conferred upon the county board shall be in addition to all other powers and authorizations previously vested therein, and may be exercised by the county board at any regular or special meeting through the adoption of a resolution or resolutions to take effect immediately upon their adoption.

SECTION 15. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R561, H1494)

No. 502

An Act To Amend Act No. 438 Of 1963, Relating To The Issuance Of General Obligation Bonds In Aiken County For School Purposes, So As To Further Define The Purposes.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Act 438 of 1963 amended—findings of General Assembly.—Section 1 of Act No. 438 of 1963 is amended by striking on line three "school facilities for Grades 7 through 12" and inserting "an elementary and a junior high school". When so amended, the section shall read as follows:

"Section 1. The General Assembly finds that there exists in the School District of Aiken County a need for an elementary and a junior high school in the vicinity of New Ellenton. It has therefore determined to authorize the Aiken County Board of Education as constituted by Chapter 17, Title 21, of the 1962 Code (hereinafter called the "board") as the governing agency of the School District of Aiken County, to expend for construction and equipping of facilities in the vicinity of New Ellenton to the extent of three hundred thousand dollars or such lesser sum as may, upon the occasion of the issuance of the bonds, be determined to be within the constitutional limits applicable to the school district."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R573, H1798)

No. 503

An Act To Create The Aiken County Beautification Committee.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Beautification committee created for Aiken County.—There is hereby created a beautification committee for Aiken County to be composed of eleven residents of the county to be selected by a majority of the legislative delegation. Members of the committee shall serve without compensation.

SECTION 2. Terms—officers.—The members of the committee shall serve for four years and until their successors have been selected

and qualify, except of those first selected five shall serve for terms of two years. The committee shall meet as soon after the selection of its members as is practicable and elect one of its members as chairman. The committee may elect such other officers as it deems necessary. The members shall determine by lot which of them shall serve initial terms of two years. A list of the members and the length of their terms shall be filed with the county clerk of court by the chairman. The chairman shall also notify the clerk of court of any changes in the membership of the committee.

SECTION 3. Duties.—The committee shall make continuing studies concerning the beautification of the county under such procedure as it may decide upon and forward its recommendations to the county supervisor and to the legislative delegation.

SECTION 4. Duties of county supervisor.—Within the limits of available labor and funds, the county supervisor shall carry out the recommendations of the committee. In the event the supervisor disagrees with a recommendation of the committee, he shall within five days after being presented with the recommendation submit the issue to the governing body of the county whose decision shall be final. The committee and the supervisor shall be given an opportunity to present their views before such decision is made.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R672, H1795)

No. 504

An Act To Provide For The Levy Of Taxes For Ordinary County Purposes In Aiken County For The Fiscal Year Beginning July 1, 1965, And To Provide For The Expenditure Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. There shall be levied a tax upon all the taxable property of Aiken County for ordinary and special county purposes for the fiscal year beginning July 1, 1965, and ending June 30, 1966, sufficient to meet the amounts hereinafter appropriated, after deducting therefrom the estimated revenue accruing from sources other than the ordinary county taxes.

Item 1.	Roads and bridges, including county shop, miscellaneous, office supplies and machinery	$140,000.00
	Salaries:	
	Supervisor	7,200.00
	Travel Expense of Supervisor	1,800.00
	Three Commissioners @ $2,700.00 each	8,100.00
	Three Commissioners, Expenses $1,500.00 each	4,500.00
	Chief Clerk, base pay	3,785.00
	Clerk, base pay	3,465.00
	Superintendent of County Farm, base pay	3,340.00
	One Machinist, base pay	3,920.00
	Two Machinists (Assistant) @ $3,565.00 each, base pay	7,130.00
	Three Road Foremen @ $3,340.00, base pay	10,020.00
	Three Guards @ $3,340.00, base pay	10,020.00
	Two Tournapull Operators @ $3,340.00, base pay	6,680.00
	Six Road Patrols @ $3,145.00, base pay	18,870.00
	Permanent Depreciation Fund for replacement of machinery	25,000.00
	Total, Item 1	$253,830.00

Provided, that services of all equipment operators, when such machinery is under repairs, shall be used in other work at the direction of the commissioners and supervisor.

Provided, further, that the appropriation herein provided under Item 1, or so much thereof as may be necessary after payment of salaries listed therein, shall be expended for the upkeep and maintenance of the roads and bridges of the county, convict camps, convicts, operation of the county farm, roadworking organizations and payment of all employees who may be engaged for such purposes.

Provided, further, that the supervisor shall have exclusive charge of the county farms and shall keep a record of the cost of operation thereof and all rents derived therefrom, and he shall have exclusive charge of the county convicts while they are confined in the county centralized camp and

while they are engaged in work on the farms. The supervisor shall also have exclusive charge and supervision over the personnel necessary to be employed in the operation of the farm and management of the convict camp, with the right to hire and discharge any such employee. The employment of all guards of prisoners shall be with the approval of the county supervisor, and such guards shall be subject to his authority and control while on duty at the county centralized convict camp. The supervisor shall inspect all roads and make the same reports required of the commissioners and cooperate with the commissioners in maintaining the roads so as to keep the same in good condition for public use. All monies received from rents and sale of commodities shall be turned over to the treasurer of the county **monthly.**

Provided, further, the commissioners shall supervise all county road work in their respective districts, and they shall make requisition to the supervisor for such convicts from time to time as the needs of the roads in their respective districts may require; the commissioners shall be responsible for the convicts under their charge while at work, going to and returning from their work at camp. Each commissioner shall keep a daily record of roads worked, showing the location thereof, in their respective districts and the cost. And, on Monday of each week, the commissioners shall file their report with the clerk of the county board, which reports shall be kept in the office of the board for inspection by the supervisor and the Legislative Delegation of Aiken County.

Provided, further, that upon vote of the commissioners and supervisor, as provided by law, the funds hereby appropriated and the county equipment may be distributed as needed, regardless of districts.

Item 2.	Clerk of Court, salary	$ 6,900.00
	Chief Clerk, base pay	3,785.00
	Clerk, base pay	3,465.00
	Assistant Clerk, base pay	3,125.00
	Six Clerk Aids @ $3,015.00, base pay	18,090.00
	Supplies	9,500.00
	Total, Item 2	$ 44,865.00

Provided, the position of one Clerk Aid is abolished when the next occupant of said position vacates same.

Item 3.	Sheriff's salary	$ 7,200.00
	Expenses, Sheriff	1,800.00
	Chief Deputy	6,000.00
	20 Deputy Sheriffs @ $4,425.00, base pay	88,500.00
	Telephone expenses—Chief Deputy, Identification Officer, Plainclothes Deputy and 19 Deputy Sheriffs, $60.00 each	1,320.00
	Supplies, Identification Bureau	1,000.00
	Identification Officer, base pay	4,625.00
	Plain-clothes Deputy, base pay	4,625.00
	Car maintenance, gasoline and oil of Deputy Sheriffs, if so much be needed	15,000.00

Provided, that all cars now owned by Aiken County be used only for official county or state business.

	Uniform allowance, 22 Deputies	4,400.00

Provided, that the Sheriff shall provide a Deputy Sheriff to serve as Bailiff and as Probation Officer for the Domestic and Juvenile Relations Court as required by the Judge of such court.

Provided, further, that any property owned by Aiken County for the use of personnel of the Sheriff's office shall be issued to such personnel only upon memorandum receipt for same, specifying the date, individual receiving it, nature of the property being issued, including serial numbers, if any; and in the event such personnel, having been issued county property, should leave the service of the county for any reason whatsoever, such personnel shall not receive his final pay

check until all county property issued such personnel shall have been turned in and receipt therefor issued.

Provided, further, that in the expenditure of this appropriation, the county commissioners and supervisor shall be responsible for the expenditures thereof and provide gasoline and maintenance of the automobiles.

Provided, further, that such county-owned motor vehicles shall be insured in such manner as to make the county blameless in the event of accident to such vehicle or other innocent person or persons.

Provided, further, no deputy sheriff shall accept employment for policing night clubs, dance halls or honky-tonks.

Clerk of Sheriff, base pay	3,785.00
Assistant Clerk, base pay	3,125.00
Expenses—going after prisoners	1,250.00
Radio Technician	1,710.00
Radio Supplies	550.00
Supplies, including typewriter—Main Office	2,400.00
Expense Account Information	500.00
Car expenses, Deputy Sheriffs, Graniteville—five @ $102.50 per month	6,150.00
4 School Patrol Ladies, $50.00 per month each, for 9 months	1,800.00
Expenses—police dogs	240.00
Permanent Depreciation Fund for replacement of county-owned cars, to be expended on competitive bid basis through the office of the supervisor and county commissioners upon the recommendation of the Sheriff	4,500.00
Total, Item 3	$160,480.00

Item 4. Tax Collector:

Salary	$ 6,500.00
Chief Clerk, base pay	3,785.00
Assistant Clerk, base pay	3,125.00

Property Record Clerk, base pay	1,275.00
Expenses of office, including gas, oil, books, etc.	2,250.00
Total, Item 4	$ 16,935.00

Provided, that total appropriations for this item shall be paid from the collections made by the Tax Collector, and any surplus existing thereafter shall be deposited to the credit of the General County Fund and the School Fund in the same proportion as the millage levied that fiscal year for each fund.

Item 5. County Jail:

Superintendent of Buildings, base pay	$ 4,425.00
Telephone expenses, Superintendent of Buildings	60.00
Three Jailers @ $4,425.00, base pay	13,275.00
Uniform allowance, Jailers	600.00
Uniform allowance, Superintendent of Buildings	200.00

Provided, that the jailers shall be appointed by the Sheriff and they shall be commissioned as deputy sheriffs. The Sheriff shall see to it that one of the jailers shall be at the jail at all times. The Superintendent of Buildings shall be appointed by the supervisor and the county commissioners and shall be in charge of maintenance and upkeep of all county buildings and shall be in charge of the dieting of prisoners.

Jail expenses, including dieting of prisoners	8,500.00

Provided, that this fund of $8,500.00 or so much thereof as may be necessary, is to be expended by the Superintendent of Buildings with the approval of the supervisor in paying the actual expenses incurred in maintaining the jail and in dieting prisoners, and such expenses shall be paid by the Treasurer of Aiken County upon claims approved by the county commissioners and the supervisor. The Superintendent of Buildings, in operating and maintaining the jail, may employ such cook and other help as he deems necessary and he is authorized and empowered to use the services of persons serving sentence imposed by the courts. The commissioners and supervisors,

when practicable, shall provide crops and meats grown and raised on the County Farm in dieting and feeding the prisoners.

	Total, Item 5	$ 27,060.00
Item 6.	County Treasurer:	
	Salary	$ 2,738.80
	Provided, that total salary appropriations from state and local funds shall not exceed the sum of $6,900.00.	
	Chief Clerk, base pay	3,785.00
	Assistant Clerk, base pay	3,125.00
	Clerk Aid, base pay	3,015.00
	Extra Clerical Help	3,000.00
	Supplies and Miscellaneous	700.00
	County Treasurer, travel	250.00
	Mailing out tax notices, if so much be necessary	2,500.00
	Total, Item 6	$ 19,113.80
	Provided, that the Treasurer of Aiken County is authorized to make such arrangements as he sees fit with the S. P. C. A. with reference to dog tax; and he may accept such proof as he sees fit in lieu of certificates of inoculation. *Provided,* further, that on or before the tenth day of each calendar month the Treasurer of Aiken County shall furnish to each member of the legislative delegation and to the supervisor a statement showing receipts and disbursements of all state, county and school funds for the preceding month, together with a statement showing the purposes for which cash balances are held, and showing the balance of funds on hand for ordinary county purposes. *Provided,* further, that notices be sent out to each taxpayer prior to October 1, 1965.	
Item 7.	County Auditor:	
	Salary	$ 2,738.80
	Provided, that total salary appropriations from state and local funds shall not exceed the sum of $6,900.00.	

	Chief Clerk and Deputy Auditor, base pay	3,785.00
	Assistant Clerk, base pay	3,125.00
	Three Clerk Aids @ $3,015.00, base pay	9,045.00
	Miscellaneous supplies and servicing machines ..	4,000.00
	Board of Equalization	5,000.00
	Auditor, travel	600.00
	Deputy Auditor, travel	150.00
	Extra clerical help, including assistance to municipalities and for preparing auto and boat registration	3,000.00
	Total, Item 7	$ 31,443.80

Provided, that members of the County Board of Equalization shall each receive as compensation for his services the sum of $8.00 per day for the time actually engaged and five cents per mile for necessary travel.

Item 8. Adult Education:

Adult School Work		7,000.00
	Special Services	1,000.00
	Total, Item 8	$ 8,000.00

Provided, that any balance of the adult school fund unused at the expiration of the fiscal year shall be carried forward and expended on order of the Supervisor of Adult Education.

Item 9. Coroner:

	Salary	$ 3,600.00
	Telephone and Supplies	200.00
	Expenses of Coroner	820.00
	Stenographic services, inquests, as needed	1,000.00
	Total, Item 9	$ 5,620.00

Item 10. Juvenile and Domestic Relations Court and Master in Equity:

	Master, salary, until November 1, 1965	$ 3,100.00
	Judge, salary	12,000.00
	Chief Clerk, base pay	3,785.00
	One Clerk Aid, base pay	3,015.00
	Revolving Fund	400.00

	Supplies and office expenses	2,500.00
	Total, Item 10	$ 24,800.00
Item 11.	County Service Officer:	
	Salary	$ 6,500.00
	Clerk, salary, base pay	3,015.00
	Travel expenses	1,000.00
	Postage, stationery, equipment	500.00
	Total, Item 11	$ 11,015.00
Item 12.	Probate Judge:	
	Salary	$ 6,600.00
	Chief Clerk, base pay	3,785.00
	Clerk Aid, base pay	3,015.00
	Clerk Aid, base pay	3,015.00
	Supplies and new equipment, if so much be necessary	3,000.00
	Total, Item 12	$ 19,415.00
Item 13.	Magistrates and Constables:	
	Magistrates:	
	Aiken (District No. 1)	$ 4,715.00
	Expenses (Magistrate, District No. 1)	600.00
	Windsor (District No. 3)	955.00
	Salley (District No. 4)	1,286.00
	Wagener (District No. 5)	1,286.00
	Wards (District No. 6)	767.00
	Oak Grove (District No. 7)	767.00
	Langley (Districts Nos. 10 and 17)	3,061.00
	Expenses (Districts Nos. 10 and 17)	600.00
	Graniteville (Districts Nos. 8, 9 and 15)	3,061.00
	Expenses (Districts Nos. 8, 9 and 15)	600.00
	North Augusta (District No. 11)	2,011.00
	Expenses (District No. 11)	600.00
	Beech Island (District No. 12)	2,011.00
	Talatha (District No. 13)	2,011.00
	Jackson (District No. 14)	2,011.00
	Clearwater (District No. 16)	2,011.00
	Expenses (District No. 16)	600.00
	Supplies for Magistrates	1,000.00

Constables:	
Aiken (District No. 1)	3,197.00
Expenses (District No. 1)	600.00
Windsor (District No. 3)	704.00
Salley (District No. 4)	704.00
Wagener (District No. 5)	956.00
Wards (District No. 6)	363.00
Oak Grove (District No. 7)	1,160.00
Graniteville (Districts Nos. 8, 9 and 15)	3,061.00
Expenses (Districts Nos. 8, 9 and 15)	600.00
Langley (Districts Nos. 10 and 17)	3,061.00
Expenses (Districts Nos. 10 and 17)	600.00
North Augusta (District No. 11)	1,785.00
Expenses (District No. 11)	600.00
Beech Island (District No. 12)	830.00
Talatha (District No. 13)	830.00
Jackson (District No. 14)	830.00
Clearwater (District No. 16)	1,969.00
Expenses (District No. 16)	600.00
Provided, that the Magistrate's Constable in the Clearwater District shall also serve as policeman for the community of Belvedere.	
Provided, further, that the Magistrate's Constable at Oak Grove (District No. 7) shall also serve as policeman for Oak Grove-Monetta area.	
Transcribing equipment	600.00
Total, Item 13	$ 53,003.00
Item 14. Department of Public Welfare:	
Director's salary	$ 500.00
Chairman of Board	840.00
Four Supervisors @ $300.00	1,200.00
Nineteen Caseworkers @ $240.00 each	4,560.00
Mileage, Child Welfare Workers	3,600.00
Seven Stenographers @ $180.00	1,260.00
Four Board Members (@ $735.00 each)	2,940.00
Emergency drugs for indigent patients	3,500.00
Emergency Relief	2,500.00
Total, Item 14	$ 20,900.00

Item 15.	Cooperative Extension Program:	
	Salary, County Agent	$ 600.00
	Salary, Associate County Agents @ $300.00 each	600.00
	Stenographer for County Agent	525.00
	Boys' 4-H Club Work	250.00
	Contingent Fund and Demonstration Supplies for County Agent	150.00
	Salary, Home Agent	300.00
	Stenographer for Agent and Assistant Agent	2,662.54
	Girls' 4-H Club Work	250.00
	Home Demonstration Agent, supplies	200.00
	Home Demonstration Agent, telephone	200.00
	Contingent Fund for Agents	25.00
	Salary, Associate Home Demonstration Agent	777.00
	Salary, Associate County Agent	410.00
	Office Rent, Heat and Lights	350.00
	Clerical assistance, Associate County and Home Agents	1,800.00
	Telephone	163.80
	Total, Item 15	$ 9,263.34
Item 16.	Mental Health:	
	Operation of Mental Health Center	$ 25,000.00
	Expenses, Mental Health Commission	1,000.00
	Total, Item 16	$ 26,000.00
Item 17.	Jurors and Witnesses:	
	All expenses, if so much be necessary	$ 35,000.00
	Provided, that witnesses for the State in criminal cases shall be paid at the rate of $3.00 per day and five cents per mile travel; *provided,* further, that any variation from this amount for expert testimony shall be only upon written approval of the Circuit Solicitor; and *provided,* further, that jurors in criminal cases in Magistrate Courts which are impanelled and actually sworn shall be paid $3.00 each upon certification of the trial magistrate to the County Supervisor.	
	Total, Item 17	$ 35,000.00

Item 18. County Health Department:
Lump sum appropriation ..... $ 66,900.00

Total, Item 18 ..... $ 66,900.00
Provided, that a final budget of combined county, State and Federal funds will be completed as soon after the first of July as possible, and a detailed itemization will then be submitted to the delegation and approved before any of the funds are spent.

Item 19. Aiken County Hospital:
All expenses $132,000.00

Total, Item 19 ..... $132,000.00

Item 20. Post Mortems, Inquests and Lunacies:
All expenses ..... $ 2,000.00

Total, Item 20 ..... $ 2,000.00

Item 21. Public Buildings:
Water, fuel, lights and insurance:
All expenses, if so much be needed ..... $ 25,000.00

Total, Item 21 ..... $ 25,000.00

Item 22. Court Stenographer for Second Judicial Circuit ..... $ 300.00
Library and stenographer, Circuit Judge 1,200.00
Extra clerical help as needed—Magistrate, District No. 1, base pay 2,310.00
Salary, County Attorney 1,800.00
County Audit, to be expended by a majority of the Aiken County Legislative Delegation, including the Senator 3,000.00
Provided, that the person employed for the County Audit shall be so employed for the fiscal year commencing July 1, 1965, and ending June 30, 1966, and so far as is practicable he shall maintain a current audit.
Aiken County Library 62,000.00
Provided, that this appropriation shall be deemed to be tentative, and that the final appropriation

for the Aiken County Library and all expenditures therefrom, shall be in accordance with a budget prepared by the Aiken County Library Board after taking into account the availability of all funds from all sources, including Federal, State, Aiken County, Edgefield County and Barnwell County; and *provided,* further, that such budget must be first approved by a majority of the Aiken County Legislative Delegation, including the Senator.	
Vital Statistics	600.00
Premium on Officers' Bonds	1,200.00
Aiken Soil Conservation District: Promotional work and part-time secretarial help	2,000.00
County Officers' Retirement Fund	28,000.00
Expenses, Solicitor, including telephone at courthouse	1,000.00
Salary and expenses, Assistant Solicitor, to be disbursed on authority of Solicitor	5,000.00
Court Crier and other attaches, $14.00 per day for actual services during court sessions. Assistant Clerk of Court, $18.00 per day for actual work. *Provided,* that compensation for Court Crier and Assistant Clerk of Court and other court attaches shall be paid out of appropriation for Jurors and Witnesses.	
Assistant Rabies Control Officer, salary, base pay	4,425.00
Telephone for Rabies office	60.00
Uniforms, Rabies Control	200.00
Expenses—truck, gas, etc., Rabies Control	800.00
South Carolina Industrial Commission Insurance, if so much be necessary	3,500.00
Expenses, County Forester	876.00
Supplement, County Forest Wardens, four @ $50.00 per month	2,400.00
Supplement, County Forest Tractor Operators, two @ $25.00 per month	600.00
Supplement, County Forest Ranger, one @ $30.00 per month	360.00

	Expenses, Probation Officer, @ $50.00 per month	600.00
	Aid to Warrenville Armory	1,000.00
	Aid to Civil Air Patrol	350.00
	Telephone, Corporal and Patrolmen, Highway Department	780.00
	Sinking Fund Commission	3,000.00
	Social Security	18,000.00
	Insurance, Police Cars	1,661.86
	Artificial Limb (1/4)	500.00
	Aiken County Historical Commission	800.00
	Board of Registration	1,635.00
	Publishing Voucher Reports	600.00
	Total, Item 22	$150,557.86
Item 23.	Burial of Paupers	$ 800.00
	Provided, that contributions for such burial shall be limited to $25.00 for children and $50.00 for adults, and that such disbursements shall be made by the supervisor only after written certifications that such persons are paupers have been filed in the office of the County Board, such certifications to be made by the Public Welfare Department or by affidavit made by the undertaker interring such deceased.	
	Total, Item 23	$ 800.00
Item 24.	Aiken County Commission for Higher Education	$ 18,000.00
	Total, Item 24	$ 18,000.00
Item 25.	Civil Defense Program, if so much be necessary	$ 8,315.00
	Provided, that as soon as practicable after July 1, the Aiken County Director of Civil Defense shall prepare and submit for the approval of a majority of the Aiken County Legislative Delegation, including the Senator, a budget for the expenditure of the above amount and such federal matching funds as are available, and no ex-	

penditure shall be made under this item except in accordance with such approved budget.

Total, Item 25	$ 8,315.00
Item 26. Legislative Delegation and Planning and Development Board, if so much be necessary, to be expended upon authority of a majority of the delegation, including the Senator	15,000.00
Total, Item 26	$ 15,000.00
GRAND TOTAL	$1,185,316.80

Provided, that beginning July 1, 1965, the amounts hereinbefore designated as base pay shall be increased as follows:

Any full-time employee of Aiken County, not to include magistrates, constables, elected officials or any employee whose base pay exceeds $4,625.00, who is entitled to receive as compensation for services rendered as salary designated hereinbefore as base pay, shall receive as additional compensation an amount equal to two per cent of the base pay for each year of full-time service as an employee of Aiken County up to three such years of service, and one per cent of the base pay for each additional year up to a maximum of fourteen such years of service, the maximum additional compensation to be seventeen per cent for fourteen or more such years of service. Such years of service will be determined as of July 1, 1965, and shall not be changed during the fiscal year.

Provided, further, that in computing length of service for those employees of Aiken County engaged in law enforcement, any and all prior service in law enforcement performed in Aiken County by such persons in the course of employment by the State of South Carolina, or any political subdivision thereof, shall be considered as prior service performed while an employee of Aiken County.

Provided, further, that in computing length of service hereunder, any employee of Aiken County who shall have been an employee of Aiken County at any time during the period from January 1, 1937, through December 31, 1948, and while Aiken County department heads were on a fee basis rather than a salary basis, shall be entitled to credit for service performed during such period, upon the filing with the supervisor and county commissioners of a written, signed statement setting forth in such detail as shall be required by the supervisor and county commissioners, the dates and places of such employment, together with the general nature of duties performed.

Provided, further, that a majority of the Aiken County Legislative Delegation, including the Senator, may make changes or alterations in the terms of this act whenever in their judgment circumstances so justify; and

Provided, further, that a majority of the Aiken County Legislative Delegation, including the Senator, and a majority of the Board of County Commissioners may together by written authorization direct the transfer of any general fund monies in excess of the appropriations hereinbefore made from the General Fund of Aiken County for application to unforeseen emergency situations which might arise in connection with the conduct of the affairs of Aiken County.

Provided, further, all such written authorizations, whether heretofore or hereafter made, are hereby ratified, but such shall not be valid until a copy of same be filed with the clerk of court.

Provided, further, that no such written authorization providing for the expenditure of funds shall be made except in cases of emergency and then only in a meeting held by the entire delegation. *Provided,* further, no alterations of the act shall be made by anyone during the year 1965-1966 not herein expressly provided for, and any

expenditures in excess of amounts herein provided, if made without the prior written approval of a majority of the Aiken County Legislative Delegation, including the Senator, shall be the personal responsibility of the department head concerned, and shall *ipso facto* constitute sufficient cause for the removal from office, with forfeiture of pay, of such department head.

Provided, further, that all department heads shall comply with the requisition system which has been instituted by the County Board in connection with the purchase of supplies and equipment and no such purchase made without compliance herewith shall be paid for by the County Board.

Less Estimated Revenue other than Taxes:

Delinquent Taxes from Tax Collector	$ 55,000.00
Fines, Licenses, Fees and Miscellaneous	168,000.00
Gasoline Tax	229,000.00
Insurance License Fees	60,000.00
Alcoholic Liquor Tax	86,000.00
Beer and Wine Tax	22,000.00
Income Tax	98,000.00
Total Revenue Other Than Taxes	$718,000.00

SECTION 2. This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1965.

(R200, S181)

No. 505

An Act To Authorize The Closing Of A Portion Of Road No. S-3-194 In Allendale County And To Remove It From The State Highway System.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Road in Allendale County may be closed.—The South Carolina State Highway Department is authorized to close

that portion of Road No. S-3-194 in Allendale County between S. C. Highway No. 22 and Road No. S-3-193 and it is hereby removed from the State Highway System.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of March, 1965.

(R240, H1422)

No. 506

An Act To Amend Section 1 Of Act 620 Of 1946 Relating To Allendale County Hospital Board, So As To Change The Number Of Members And Provide For Their Appointment.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 1 of Act 620 of 1946 amended—Allendale County Hospital Board established.—Section 1 of Act 620 of 1946 is amended by striking out the word and numeral "six (6)" on line three and inserting in lieu thereof "seven (7)" and by striking out on lines seven, eight and nine the words "One-third of the members of the Board shall be appointed by the Allendale County Medical Association and the remaining two-thirds of the Board" and inserting in lieu thereof "The members of the Board". The section, when amended, shall read as follows:

"Section 1. There is hereby established in Allendale County a board to be known as the Allendale County Hospital Board, to be composed of seven (7) citizens of Allendale County, who shall serve without compensation. The terms of office of the members of the Board, other than the first Board, shall be for a term of six (6) years and until their successors are approved and assume the duties of their position. The members of the Board shall be appointed by the Governor upon the recommendation of the County Delegation, with any vacancies to be filled in the same manner. The Secretary of State shall issue commissions to the members of the Board."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of April, 1965.

(R424, H1635)

No. 507

An Act To Make Supplemental Appropriations For The Fiscal Year 1964-1965 From The General Fund Of Allendale County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The following supplemental appropriations for the fiscal year 1964-1965 are made from the General Fund of Allendale County.

(A) Roads and Bridges	$ 2,500.00
(F) (1) Jail—Expenses, dieting of prisoners and maintenance	1,300.00
(G) Court Expenses	300.00
(I) Public Buildings, including water, fuel, light and insurance	1,000.00
(J) Printing, Postage, Stationery, Telephone	1,000.00
(L) Miscellaneous:	
(4) Premium on bonds	100.00
(5) Post Mortems, Inquests and Lunacies	100.00
(17) Retirement Contribution, Social Security and Police Retirement and Annuity	800.00
(19) Workmen's Compensation and Liability Insurance	100.00
(22) Janitorial Supplies	100.00
Contingent fund to be paid upon approval of county delegation	2,700.00
Total	$ 10,000.00

SECTION 2. This act shall take effect upon approval by the Governor.

Approved the 20th day of May, 1965.

(R502, H1731)

No. 508

An Act To Provide For The Levy Of Taxes For Allendale County For School And County Purposes For The Fiscal Year Beginning July 1, 1965, And Ending June 30, 1966; To Provide For The Expenditure Thereof; To Provide For The Amount

Of Fees And Expenses To Be Allowed For County Offices; To Provide For The Fees To Be Charged By The Clerk Of Court; And To Provide For The Disposition Of Revenue To Be Derived From Current Levies, Contributions, Revenues, Forfeited Land And Delinquent Tax Executions.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The County Auditor of Allendale County is hereby directed to levy a tax upon all the taxable property of Allendale County for the fiscal year 1965-1966 in a sufficient number of mills to provide for the payment of the items and expenditures hereinafter set forth.

SECTION 2. The following amounts are hereby appropriated for the fiscal year 1965-1966:

(A) Roads and Bridges:	
(1) Chain Gang and maintenance of road work, salary of guard, material, lumber, and all expenses, repairs of roads and bridges	$ 24,000.00
	24,000.00
(B) Salaries:	
(1) Clerk of Court	1,695.00
Expenses, in full for the year	300.00
(2) Sheriff	5,880.00
Expenses—including all maintenance and operation expenses for office and automobiles, in full for the year	1,800.00
Deputy Sheriff	3,810.00
Expenses—including all maintenance and operation expenses for office and automobiles, in full for the year	1,800.00
Police Radio Operator	630.00

Provided, that the Deputy Sheriff shall be appointed by the Sheriff and shall serve at the pleasure of the Sheriff. *Provided,* further, that the salary and other compensation herein fixed for the Sheriff's office is intended for and shall be in lieu of all fees to which he is entitled under the law from the county for any and all services performed by

him of whatever nature or kind. In the event he travels out of the county by way of train, plane or bus, he shall be allowed actual train, plane or bus fare, and actual cost of meals and lodging.

(3)	Treasurer	1,995.00
(4)	Auditor	1,995.00
(5)	Judge of Probate	1,695.00
	Expenses—in full for the year	300.00
	Provided, that the salary for the Judge of Probate is in lieu of all fees to which he is entitled under the law from the county.	
(6)	Superintendent of Education—Expenses, 1965-1966	1,260.00
	Provided, that the county board of directors is hereby directed to transfer in a lump sum the appropriation for the county superintendent's office to the county board of education fund. The purpose of this transfer is to put the county superintendent's salary and expenses on the school payroll rather than the county payroll.	
(7)	Attorney—retainer	600.00
	Provided, the county attorney shall advise the tax collector, when called on, in all matters pertaining to the collection of delinquent taxes.	
(8)	Coroner	700.00
	Provided, that the salary herein provided for coroner shall be in lieu of all fees to which he is entitled from the county for any service whatsoever.	
(9)	Tax Collector	3,300.00
	Provided, the Tax Collector shall charge and retain a fee of one dollar on each delinquent tax execution.	
(10)	Courthouse Stenographer, Salary	3,330.00
(11)	Janitor for Courthouse and Memorial Building	1,650.00
		32,740.00

(C) County Health Department:	
(1) Expenses, County Health Nurse	660.00
(2) Operating Expenses	3,224.00
(3) T. B. Inspection Work	400.00
	4,284.00
(D) Magistrates and Constables:	
Magistrates:	
Allendale and Bull Pond	1,300.00
Fairfax	1,300.00
Baldock Township	650.00
Millette Township	650.00
Wilson Township	650.00
Sycamore Township	650.00
Constables:	
Allendale and Bull Pond	1,000.00
Fairfax	1,000.00
Millette Township	325.00
Baldock Township	325.00
Wilson Township	275.00
Sycamore Township	275.00
	8,400.00

Provided, that the salaries herein appropriated for magistrates and constables are in lieu of all fees payable by the county to which they, or either of them, be entitled; *provided,* further, that magistrates and constables shall give bonds in the sum of five hundred dollars conditioned upon the faithful performance of their duties.

(E) County Boards:	
(1) Board of Equalization	300.00
(2) County Board of Directors, four at thirty-five dollars per month	1,680.00
Clerk to County Board of Directors—salary *Provided,* that the person filling the above position shall be required to give a surety bond in the sum of one thousand dollars, premium on same to be paid by the county.	4,000.00
	5,980.00

(F) Jail:	
(1) Expenses, dieting of prisoners and maintenance	11,000.00
(2) Jailor, salary	1,200.00
Expenses	400.00
	12,600.00
(G) Court Expenses:	
(1) Jurors and witnesses, and Sheriff's fee for notice	1,500.00
	1,500.00
(H) Department of Public Welfare, if so much be necessary	1,200.00
	1,200.00
(I) Public Buildings, including water, fuel, light and insurance, if so much be necessary	7,500.00
	7,500.00
(J) Printing, Postage and Stationery, Telephone and Telegraph	7,000.00
	7,000.00
(K) County Hospital, if so much be necessary	10,000.00
	10,000.00
(L) Miscellaneous:	
(1) Vital Statistics	280.00
(2) Publishing Monthly Report	300.00
(3) Rent, Government Farm Office	180.00
(4) Premium on bonds, including constables	800.00
(5) Post mortems, Inquests and Lunacies	900.00
(6) Regional Library	2,740.00
(7) Fairfax Library	450.00
(8) County Library	800.00
(9) Girls' 4-H Club Work	150.00
(10) Boys' 4-H Club Work	75.00
(11) Expenses, Home and County Demonstration Agent	350.00
(12) Clerk to County Agent, salary	900.00

(13) Clerk to Home Demonstration Agent, salary	900.00
(14) Part salary, Associate Home Demonstration Agent	480.00
(15) County Agent, Salary Supplement	600.00
(16) Assistant County Agent, Salary Supplement	300.00
(17) Attendance Teacher Scholarship Fund	100.00
(18) Retirement Contribution, Social Security and Police Retirement and Annuity	6,000.00
(19) Workmen's Compensation and Liability Insurance	800.00
(20) Service Officer, Office Expense	400.00
(21) Civil Defense	5,000.00
(22) Janitorial Supplies	400.00
(23) Allendale County Development Board	3,000.00
(24) Allendale Soil and Water Conservation District	200.00
(25) Extension of University of South Carolina	7,000.00
	33,105.00
(M) National Guard, if so much be necessary, as follows:	
(1) Maintenance	2,000.00
	2,000.00
(N) Audit of county funds, including magistrates	2,200.00
	2,200.00
(O) Contingent Fund	15,000.00
Provided, that all expenditures from the contingent fund shall be subject to the written approval of the legislative delegation.	
	15,000.00
GRAND TOTAL	$167,509.00
Less Estimated Revenue other than taxes:	
Commutation Road Tax	$ 1,500.00
Fines and Licenses	19,000.00
Income Tax	18,000.00
Gasoline Tax	55,000.00
Liquor Tax	12,000.00

Beer and Wines	3,000.00
Insurance, Bank and Miscellaneous	9,000.00
Cost of Tax Executions	1,500.00
Total, Estimated Revenue	$119,000.00
AMOUNT TO BE RAISED BY TAXATION	$ 48,509.00

SECTION 3. The amount of commutation tax which shall hereafter be levied in Allendale County shall be the sum of two dollars per person subject to such tax. Persons actually in the armed service of the country shall, during such service, be exempt from payment of such road tax.

SECTION 4. The costs and expenses of the levy, advertising and sale of lands heretofore or hereafter purchased by the Forfeited Land Commission, under tax sale, shall be paid by the treasurer on warrants of the county board, approved by the county delegation, out of any funds available therefor; *provided,* that the proceeds of the sale of lands sold by the Forfeited Land Commission shall be chargeable with all such costs and expenses, and, if such claims are paid from funds not so realized, then all amounts paid from the general county fund shall be replaced from sales of land when made by the Forfeited Land Commission.

SECTION 5. The sums hereinabove appropriated shall be used only if so much be necessary as to each item hereinabove provided for; *provided,* that any unexpended balance of any appropriation for any particular item may be applied to any other item, or items, for which the amount appropriated is insufficient, or may be used for such other expenditures as shall be approved in writing by the legislative delegation.

SECTION 6. In anticipation of the collection of taxes herein provided for, the county board of directors and the treasurer, with the approval of the legislative delegation, are authorized and empowered to borrow on the credit of the county such sums as are necessary to carry out the provisions of this act, and to pledge current taxes in payment therefor. Such obligations shall be signed by the treasurer and the chairman of the county board of directors, attested by the clerk of such board.

SECTION 7. The sheriff is authorized to empower such trusty convict labor as he may deem desirable in the care and maintenance

of the county jail and premises. The county board of directors is hereby authorized to repay all municipalities of the county for chain gang labor received through the courts of such municipalities by work of the county chain gang upon the streets and drainage of the municipalities. *Provided,* that such municipalities shall pay for the dieting of all prisoners while so engaged in work upon the streets or drainage of such municipalities, and shall be liable for any damage to persons or property caused by the use of such convict labor and machinery, and the county shall not in any way be responsible for such damage.

SECTION 8. Whenever it shall be necessary to meet the expenses of foreclosing of any real estate mortgage owned by or pledged with the county, or to buy in such property on behalf of the county, the payment of such expense shall be made from the contingent fund, or other available funds, and the rents received from such property shall be carried to the general county fund, or restored to the contingent fund, in the discretion of the legislative delegation. Such property may be sold by the county board on the written approval of the legislative delegation, the proceeds of sale to be applied to such account or placed in such fund as the legislative delegation may direct, or as provided in Section 4 of this act.

SECTION 9. The legislative delegation is hereby granted full power and authority to appropriate such additional sums as in its discretion may be deemed necessary for any purpose not herein provided.

SECTION 10. The fee that may be charged by the Clerk of Court for Allendale County for the recording, filing, indexing, and/or registering of any mortgage or other instrument conveying a lien on crops growing or to be grown and/or personal property and made to any corporation organized under the Act of Congress, known as the Farm Credit Act of 1933, a Regional Agricultural Credit Corporation, a Federal Intermediate Credit Bank, or any other corporation which rediscounts notes or other obligations with or procures loans from a Federal Intermediate Credit Bank, the Reconstruction Finance Corporation, or the Government of the United States or any department, agency, instrumentality, or officer thereof, shall be one dollar ($1.00); *provided,* that a copy or duplicate of such instruments be furnished to the recording officer. Allendale County is specifically excepted from the provisions of Sections 27-60, 27-61, 27-66, 60-2 and 60-303 of the Code of 1962; *provided,* further, that in addition to

the fee hereinabove fixed for recording chattel mortgages, the Clerk of Court for Allendale County may charge an additional fee of twenty-five cents (25¢), when he is required to search the records before recording any such mortgage. *Provided,* further, that notwithstanding Section 27-52 of the Code of 1962, in Allendale County the Clerk of Court shall receive for recording deeds without dower a fee of $2.00; deeds with dower a fee of $2.25; chattel mortgages a fee of $1.50; and chattel mortgages with assignment a fee of $2.00.

SECTION 11. All supplies of every kind and nature needed by the county officers and employees of Allendale County shall be purchased by the purchasing agent of the county. Supplies purchased in violation of the provisions of this act shall be the liability of the individual so purchasing, and shall not be the liability of the county.

SECTION 12. It shall be unlawful for the County Directors of Allendale County to issue any voucher for the salary of any officer herein provided for before the end of the month that such officer is entitled to receive such salary. All salaries are to be paid on a monthly basis.

SECTION 13. Before the county directors shall issue a voucher to any magistrate of Allendale County for his salary, such magistrate shall present his docket to the county board of directors, showing the disposition of all cases handled by him during each month, and also present to the county directors a receipt or receipts from the county treasurer for all fines imposed by the magistrate.

SECTION 14. The Forfeited Land Commission of Allendale County is hereby authorized, empowered and directed to rent all property owned and held by the Forfeited Land Commission of Allendale County and pay the proceeds of all rents so collected to the county treasurer in accordance with the provisions of law now existing, and no fees shall be charged for such services by the Forfeited Land Commission nor by the tax collector.

SECTION 15. The sums herein appropriated as compensation for the county board of directors shall be in lieu of any expense which they incur in inspection of the various county roads, which inspections shall be made semimonthly by the directors.

SECTION 16. Of the amount appropriated as salaries for municipal law enforcement officers and county law enforcement officers in

Allendale County, the sum of five dollars per day for each such officer is hereby designated as subsistence for each day of active duty from July 1, 1957.

SECTION 17. This act shall take effect upon approval by the Governor.

Approved the 2nd day of June, 1965.

(R303, S242)

No. 509

A Joint Resolution To Create A Committee To Consider The Building Of A County Office Building For Anderson County And To Make Suitable Recommendations.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Building committee created for Anderson County.—There is hereby created a committee consisting of twelve citizens of Anderson County to be appointed by the Governor upon the recommendation of the legislative delegation from the county. The committee shall meet as soon as practicable after appointment and shall elect one of its members as chairman and such other officers as may be deemed necessary. Thereafter the committee shall meet on the call of the chairman or a majority of the members.

The committee shall study the need for additional county office space and the feasibility of enlarging the county courthouse building or building a new office building on the site of the old county jail on West Street or any other site in the City of Anderson. The committee shall make a report to the legislative delegation within thirty days after the effective date of this act, with such recommendations in the premises as the committee may think proper.

SECTION 2. Further.—In the event that the committee recommends the construction of additional county office space and such recommendation is approved by the legislative delegation from the county, the committee shall constitute the building committee which shall supervise the construction of a county office building.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of April, 1965.

(R589, H1751)

No. 510

An Act To Validate Certain Expenditures Made By Anderson County For County Purposes During The Fiscal Year 1964-1965.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Expenditures by Anderson County validated.—The following sums which have been expended by Anderson County for county purposes upon approval of the county legislative delegation, during the fiscal year 1964-1965, are hereby validated and declared to be legal in all respects.

1964-1965

DATE	NAME	AMOUNT
6- 8-64	Mrs. Sue Brewer—Salary Increase	$ 176.00
6-25-64	Harold A. Pickens & Sons—Water-line	1,110.00
6-25-64	Special Secty. Auditor's Office—Three months	741.00
7-11-64	Asst. Youth Counselor — C. R. McGuire (Salary)	4,200.00
7-14-64	James Wallace—Travel	76.09
7-14-64	Broadway Lake—Deputy's Salary	2,684.00
7-14-64	Burroughs Corp.—Adding Machine, Auditor's Office	400.00
7-14-64	W. T. Chapman—Salary Increase	285.00
8- 4-64	C. R. McGuire—$100.00 per mo. Travel	1,300.00
8- 5-64	Gillespie Constr. Co.—Gate-Bwdy. Lake	4,775.00
8-31-64	Registration Board—Salaries	768.00
9-12-64	Registration Board—Salaries	420.00
9-25-64	Registration Board—Salaries	576.00
9-28-64	Special Secty.—Auditor's Office—One month	247.00
10-12-64	Registration Board—Salaries	624.00
10-23-64	Registration Board—Salaries	384.00
11-23-64	Donald B. Owen—Salary	150.00
11-24-64	Registration Board—Salaries	384.00
12-14-64	Deputies' Uniforms	1,300.00
12-15-64	Motorola C. & E. Corp.—Three Radios	1,729.25
12-19-64	Business Mch. & Equip. Co.—Two Calculators, Tax Collector	816.00
12-21-64	Commissions of Election	1,720.02
1- 5-65	Negro Farm & Home Agents—Telephone	250.00
1- 5-65	James Wallace—Travel	70.98
2-26-65	County Health Dept.	5,000.00

3-11-65	Anderson Natl. Guard Armory—Furniture ..	2,700.00
3-12-65	Clemson Natl. Guard Armory—Furniture	800.00
3-19-65	Jail Expense	7,500.00
3-25-65	Deputies & Jailors—Uniforms	2,500.00
	Total, 1964-1965	$ 43,686.34

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R655, H1773)

No. 511

An Act To Make Appropriations For The Operating Expenses Of Anderson County For The Fiscal Year 1965-1966, And To Provide For The Expenditure Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. A tax of sufficient mills to pay the appropriations for Anderson County hereafter made for the fiscal year beginning July 1, 1965, and ending June 30, 1966, after crediting against the appropriation all other revenue anticipated to accrue to the county during the fiscal year is hereby levied upon all the taxable property of Anderson County. The amount of millage shall be determined by the county auditor and approved by a majority of the Anderson County Legislative Delegation, including the Senator.

SECTION 2. There is hereby appropriated for Anderson County for the fiscal year beginning July 1, 1965, and ending June 30, 1966, the following sums of money to be expended for the purposes herein set forth, subject to provisions contained in this act, in amounts as follows:

ITEM A.	Convicts, roads, bridges, improvements (including camps) and machinery	$450,000.00
	Total, Item A	$450,000.00
ITEM B.	Public Buildings, utilities, maintenance, supplies, property insurance and courthouse janitor	$ 36,000.00
	Total, Item B	$ 36,000.00

ITEM C. County Jail:	
(1) Jailors, 3 @ $4,472.00 each and 3 @ $3,852.-.00 each	$ 24,972.00
(2) Jail expense	15,000.00
(3) Matron (Subject to Section 3, Item R)	3,200.00
(4) Cook	3,471.00
Total, Item C	$ 46,643.00
ITEM D. Probate Judge:	
(1) Probate Judge	$ 6,700.00
(2) Clerk	4,515.00
(3) Assistant Clerk (Subject to Section 3, Item R)	3,200.00
Total, Item D	$ 14,415.00
ITEM E. Public Offices:	
(1) Books, stationery, insurance, etc.	$ 32,500.00
(2) Workmen's Compensation Insurance	4,000.00
(3) Retirement for county employees	35,000.00
(4) Social Security	20,000.00
(5) Exchange charges	200.00
Total, Item E	$ 91,700.00
ITEM F. Education:	
Superintendent of Education	$ 1,498.00
Total, Item F	$ 1,498.00
ITEM G. County Health Department	$ 90,000.00
Replace equipment	3,500.00
Total, Item G	$ 93,500.00
ITEM H. Clerk of Court:	
(1) Clerk	$ 6,700.00
(2) Chief Deputy Clerk	4,515.00
(3) Clerk	3,575.00
(4) Clerk	3,575.00
(5) Clerk	3,575.00
(6) Clerk (Subject to Section 3, Item R)	3,200.00

(7)	Clerk (Subject to Section 3, Item R)	3,200.00
(8)	Clerk (Subject to Section 3, Item R)	3,200.00
	Total, Item H	$ 31,540.00

ITEM I. Sheriff's Office:

(1)	Sheriff	$ 6,700.00
(2)	Special Deputy	5,115.00
(3)	Twenty Deputies @ $4,472.00 each	89,440.00
(4)	Travel expense	16,000.00
(5)	Clerical help (Subject to Section 3, Item R)	3,200.00
(6)	Miscellaneous	1,000.00
(7)	Radio Engineer's Salary	1,908.00
(8)	Radio Maintenance	4,000.00
(9)	Travel for deputies serving papers	3,000.00
(10)	Uniform allowance (21 deputies, 6 jailors, 1 clerk, 1 matron)	5,800.00
	Total, Item I	$136,163.00

Item J. Treasurer's Office:

(1)	Treasurer	$ 2,539.00
(2)	Bookkeeper	3,575.00
(3)	Assistant Treasurer	4,800.00
(4)	Clerk (Subject to Section 3, Item R)	3,200.00
(5)	Clerk (Subject to Section 3, Item R)	3,200.00
(6)	Tax Collector	4,800.00
(7)	Deputy	3,531.00
(8)	Travel for Tax Collector—Field Work	400.00
(9)	Clerk (Subject to Section 3, Item R)	3,200.00
(10)	Clerk (Subject to Section 3, Item R)	3,200.00
	Total, Item J	$ 32,445.00

ITEM K. Auditor's Office:

(1)	Auditor	$ 2,539.00
(2)	Travel	100.00
(3)	Clerk	4,800.00
(4)	Clerk	3,575.00
(5)	Clerk (Subject to Section 3, Item R)	3,200.00
(6)	Clerk (Subject to Section 3, Item R)	3,200.00
(7)	Clerk (Subject to Section 3, Item R)	3,200.00
(8)	Clerk (Subject to Section 3, Item R)	3,200.00

(9)	County Board of Equalization	7,034.00
(10)	One field man to work with Board of Assessors	4,500.00
(11)	Traveling expenses for field clerk	2,000.00
(12)	One clerk for six months	1,500.00
	Total, Item K	$ 38,848.00

ITEM L. Supervisor's Office:

(1)	Supervisor	$ 6,700.00
(2)	Stenographer (Subject to Section 3, Item R)	3,200.00
(3)	County Commissioners—(5 @ $1,200.00 each)	6,000.00
(4)	Travel for Commissioners ($50.00 per month)	3,000.00
(5)	Clerk	4,800.00
(6)	County Engineer	4,515.00
	Total, Item L	$ 28,215.00

ITEM M. Judicial:

(1)	County Attorney	$ 1,605.00
(2)	Coroner—Salary	3,142.00
	Secretary to Coroner (also other departments, if necessary) (Subject to Section 3, Item R)	3,200.00
	Travel	1,200.00
	Total Coroner	9,147.00
(3)	Magistrates:	
	Frances Prince, or successor, Anderson	$ 3,350.00
	Bruce Davis, or successor, Anderson	3,350.00
	W. P. Kay, or successor, Belton	1,359.00
	Henry Whitfield, or successor, Townville	765.00
	J. W. Holliday, or successor, Pendleton	1,359.00
	George Page, or successor, Honea Path	1,000.00
	Edward Poore, or successor, Williamston	1,000.00
	Henry Thompson, or successor, Pelzer	765.00
	Arthur Bishop, or successor, Piedmont	899.00
	W. P. Baskin, or successor, Iva	620.00
	S. A. Bannister, or successor, Starr	1,000.00
	Total, Magistrates	$ 15,467.00

(4)	Constables—2 at Piedmont, 3 at Pelzer, 1 at Riverside-Toxaway, 1 at Starr and 1 at Orr mill, @ $1,168.00 each	$ 9,344.00
(5)	Court expenses	35,000.00
(6)	Solicitor's Office—10th Judicial Circuit:	
	a. Solicitor—expense allowance	600.00
	b. Secretary—salary (Subject to Section 3, Item R)	3,200.00
	Total, Solicitor	$ 3,800.00
(7)	Juvenile Relations:	
	a. Youth Counselor, salary	$ 4,800.00
	b. Travel allowance	1,500.00
	c. Assistant Youth Counselor—2 @ $4,472.00 each	8,944.00
	d. Travel allowance	2,400.00
	e. Clerk (Subject to Section 3, Item R)	3,200.00
	f. Clerk (Subject to Section 3, Item R)	3,200.00
	g. Emergency fund	500.00
	Total, Juvenile Relations	$ 24,544.00
(8)	Parole Office Secretary—Supplemental	$ 256.00
(9)	County Court:	
	a. County Judge, salary	12,500.00
	b. Stenographer (Subject to Section 3, Item R)	3,200.00
	c. Court expenses	10,000.00
	Total, County Court	$ 25,700.00
	Total, Item M	$123,258.00

ITEM N. Agriculture:

(1)	County Agent's Office:	
	a. County Agent—salary	$ 1,070.00
	b. Assistant County Agent	292.00
	c. County Agent, Secretary	1,465.00
	d. Assistant Home Agent	3,349.00
	e. Home Agent, Secretary	1,031.00
	f. Negro Farm Agent	1,214.00
	g. Negro Home Agent	1,530.00

	h. Negro Home and Farm Agents—Secretary (Subject to Section 3, Item R)	3,200.00
	i. County Agent, telephone and supplies	550.00
	j. Home Agent, telephone and supplies	350.00
	k. 4-H Club Boys' Camp	150.00
	l. 4-H Club Girls' Camp	150.00
	m. F.F.A. Camp	100.00
	n. J.H.A. Camp	100.00
	o. Negro Farm and Home Agents—telephone and supplies	300.00
	p. Negro 4-H Club Boys' Camp	150.00
	q. Negro 4-H Club Girls' Camp	125.00
	r. Free Breeding, 4-H and FFA Clubs	1,000.00
	s. F.F.A. Foundation	300.00
	Total, Item N	$ 16,426.00
ITEM O.	Health and Welfare:	
(1)	County Physician	$ 3,403.00
(2)	Birth and Death Registration (Mrs. King, *et al.*)	1,300.00
(3)	Welfare Department:	
	a. Supplemental Salaries	8,736.00
	b. Emergency Relief Fund	2,000.00
	c. Child Welfare Worker—travel	900.00
	d. Welfare Board, per diem	720.00
	f. Telephone and telegraph	1,000.00
	g. Mental Health Clinic	15,000.00
	Total, Welfare	$ 28,356.00
(4)	Charity—Anderson County Charity Fund	36,000.00
(5)	Anderson County Tuberculosis	1,200.00
(6)	Salvation Army	1,200.00
(7)	County Home	30,000.00
(8)	Transportation to State Hospital	1,350.00
(9)	Post Mortems and Lunacies	1,500.00
	Total, Item O	$104,309.00
ITEM P.	Miscellaneous:	
(1)	Legislative Secretary	$ 535.00
	a. Postage	50.00

(2)	Anderson Soil Conservation District	1,200.00
(3)	Service Officer—Supplemental	1,117.00
(4)	Annual Audit of County Books	1,200.00
(5)	Broadaway Lake Commission	13,000.00
(6)	National Guard Units:	
	a. Battery D 6th ADA Bn. (Sp) 118th CAR, or successor	750.00
	b. Hq. and Hq. Battery 6th ADA Bn. (Sp.) 118th CAR, or successor	750.00
	c. 116th Signal Company Sub-Div. (Williamston) or successor	750.00
	d. 116th Signal Company (Belton) or successor	750.00
	e. 4th Detachment 263rd Artillery	300.00
	(Total, National Guard —$3,300.00)	
(7)	Planning and Development Board	5,000.00
(8)	Civil Defense	5,000.00
	Provided, the county director and secretary shall be paid the same salary as authorized by the county legislative delegation for 1964-1965.	
(9)	Tri-County Technical Education Training Center	14,320.00
(10)	Geographical Survey	2,500.00
(11)	Rent, Education Department	3,600.00
(12)	Anderson Safety Commission	500.00
(13)	Office expense, to be expended on written authorization of Judge J. B. Pruitt	1,200.00
(14)	Anderson Airport Commission	4,000.00
	Total, Item P	$ 56,522.00
ITEM Q.	Contingent Fund	$ 50,000.00
	Total, Item Q	$ 50,000.00
	GRAND TOTAL	$1,351,482.00
ITEM R.	Revenue other than property taxes (estimated):	
	Magistrates' Fines and Costs	$ 70,000.00
	Clerk of Court, Fines and Costs	55,000.00
	Fees, Auditor	850.00

Fees, Probate Judge	7,000.00
Fees, Sheriff	6,000.00
Fees, Supervisor	4,500.00
Delinquent Tax, Fees, Costs and Penalties	35,000.00
Gasoline Tax	315,926.00
State Income Tax	125,036.00
Insurance Licenses and Fees	90,000.00
Beer, Wine and Liquor Tax	117,170.00
Bank Tax	14,000.00
Rents	4,000.00
Miscellaneous Income	12,000.00
Total, Item R	$856,482.00
Estimated amount to be raised by property tax	$495,000.00

SECTION 3. The accounts as set forth in Section 2 shall be subject to the following provisos:

ITEM A. From this account the county board of commissioners is authorized to pay to the supervisor the estimated expenses of the supervisor's travel in the performance of his necessary duties in the supervision of roads and convicts, not to exceed twelve hundred dollars, in accordance with the terms of Section 4 of this act.

No employee paid from this account shall receive more than three hundred twenty-six dollars per month, except that the captain of the white stockade, one captain of the Negro stockade and the superintendent of the county home shall not receive more than three hundred ninety-four dollars per month.

All truck insurance shall be paid from this account.

The money received from the State gasoline refund tax shall be applied to the appropriation in this item.

The county board of commissioners is hereby authorized to maintain two trash or disposal dumps in each of the five county districts. The expense of operating these waste dumps shall be paid from the appropriation in Section 2, Item A.

All appropriations made in this act for travel, official expense, salary or any road or street improvement shall be paid on vouchers properly probated.

ITEM B. (2) Unless specifically provided elsewhere in this act, the county shall pay for telephone service only on telephones installed in the public offices in the courthouse, the county jail, the homes of twenty-one deputy sheriffs, the homes of the South Carolina Highway Patrolmen stationed and working in Anderson County, the homes of six jailors and the sheriff, with their telephones listed in their names, the vault of the clerk of court's office, the county home, one at each convict camp, one in the home of the coroner, one in the office used by the State Tax Commission, one in the office of the Registration Board, one each for three probation officers, one for the Youth Counselor, one each for the two Assistant Youth Counselors, one for County Repair Shop, one for Sergeant of White Convict Camp and one for Sergeant at Negro Convict Camp, and it shall not pay for extension telephones at such places, and shall not pay for any long distance calls other than those personally authorized by the Supervisor or the Sheriff. *Provided,* that the supervisor and the board of commissioners shall pay five dollars per month for a telephone in the homes of the jailor, deputy sheriffs and highway patrolmen working in Anderson County.

ITEM C. (2) From this account the Sheriff of Anderson County shall pay only the actual operating expense of the county jail and the dieting of prisoners, and no part of this fund shall be used to supplement any salaries and such expense shall be paid by the Anderson County Treasurer upon claims approved by the Supervisor of Anderson County. *Provided,* that any charges made in compromising a case or any meals served to a federal prisoner shall be at the maximum rate prescribed by law; and *provided,* further, that the sheriff is authorized to spend an amount not to exceed five dollars and mileage in any one case for the dusting and photographing of fingerprints. *Provided,* the Sheriff shall file with the clerk of the county board on the first day of each calendar month duly itemized and sworn statement giving the names of each prisoner and each day.

ITEM E. (1) From this account the supervisor or other proper county officer is hereby authorized to pay the premium on the official bonds required of the twenty-one deputy sheriffs of Anderson County, the jailor, and the clerks in the office of the county treasurer and tax collector. The supervisor or other proper county officer is authorized to pay the premiums on burglary or theft insurance from funds in the custody of the Treasurer of Anderson County.

The annual county audit report, as provided by law, shall be printed in a newspaper of Anderson County and the expense therefor shall be paid from this account. A complete report shall be filed with the clerk of court which shall be available to the general public.

ITEM I. The sheriff shall charge the same fees as now provided by law and shall make monthly reports thereof to the Treasurer of Anderson County through the office of the sheriff, and deposit such collected fees with the treasurer, who shall place the money in the General Fund of Anderson County.

ITEM K. (4) From this account the county supervisor is hereby directed to pay the members of the Township Board of Assessors immediately upon completion of their work being certified to by the county auditor.

ITEM M. (3) The fees to be collected by any officer of Anderson County for the County General Fund shall be as follows: Distress for Rent, $2.00; Rule to Show Cause in Ejectment, $1.00; Warrant of Ejectment, $1.00; Summons for Debt, including transportation and judgment, $1.00; Attachment, $3.00; Claim and Delivery, $2.00; all warrants settled by magistrates, $2.00, except warrants settled for bad checks, $10.00, plus seven cents per mile round trip and jail fees of $1.00 per day while in jail. The magistrates' fees shall remain the same.

ITEM M. (4) From this account the supervisor and board of county commissioners are hereby authorized to pay eight Anderson County Deputy Sheriffs, three at Pelzer, two at Piedmont, one at Riverside-Toxaway, one at Starr and one at Orr Mill the sum of $1,168.00 per year.

ITEM M. (5) From the sum appropriated under Item M (5), designated as "Court Expenses" there shall be paid unto the grand jurors, petit jurors and bailiffs in circuit court the sum of eight dollars per day. Grand jurors and petit jurors shall, in addition to the aforesaid sum, receive ten cents per mile for one round trip from their home to the Anderson County Courthouse for the term for which they are drawn to serve, and all witnesses appearing in any criminal case under subpoena for attendance thereat, required by South Carolina law to be paid, shall receive the sum of one dollar per day and mileage as is hereinabove fixed for the jurors. In the Special Magistrate's Court, pay for jurors and witnesses shall be at the rate of three dollars per day and pay for two stenographers shall not exceed the sum of three thousand two hundred

dollars per year. (Subject to Section 3, Item R). Pay for the jurors in ordinary Magistrate's Court of Anderson County shall be two dollars per day. The jurors and bailiffs in Anderson County Court shall receive the same pay as the jurors and bailiffs in the circuit court.

For services as jurors in the coroner's inquests each person so drawn and who serves shall receive compensation in the sum of two dollars for each inquest to be paid out of this account.

ITEM N. (1)—r. This account is to provide for one free breeding for any member of the Anderson County 4-H Club or Anderson County Future Farmers of America.

ITEM O. (2) This account shall be used to pay the various registrars in Anderson County the sum of twenty-five cents each for each birth or death reported, and also registrar shall receive the sum of twenty-eight dollars and thirty-six cents, to be paid in semi-annual installments of fourteen dollars and eighteen cents.

ITEM O. (3)—b.- This account shall be paid to the County Welfare Department and the treasurer is hereby directed to pay over to the County Public Welfare Department the entire sum of two thousand dollars. At the end of each quarter, the Department of Public Welfare shall file a statement of the expenditure of this fund with the county supervisor, in duplicate.

ITEM O. (4) The funds appropriated under Section O (4) shall be expended upon the approval of a majority of the Anderson County Board of Welfare, which board is hereby designated the Anderson County Hospital Charity Certification Office. All proceeds received from accounts previously paid out of charity funds shall be deposited with the Treasurer of Anderson County, and such funds shall be added to the amounts appropriated under this section and expended in like manner as the original appropriations.

ITEM O. (9) From this account the supervisor and board of county commissioners are hereby authorized and directed to pay the costs of post mortems and lunacy examinations at the rate of pay provided by contract and approved by the supervisor. Payment herein provided for shall be made upon the certification by the coroner as to post mortems and by the probate judge as to lunacy examinations.

ITEM P. (4) This account shall be expended under the authorization of a majority of the county legislative delegation, in-

cluding the Senator. Each member of the county legislative delegation shall receive a copy of the annual audit of the county.

ITEM P. (5) From the sum appropriated, the members of the commission shall receive twenty dollars per diem for attending meetings of the commission, not exceeding more than one meeting per month.

Provided, that the salary of the two deputies serving the commission shall be paid same as Deputy Sheriffs of Anderson County.

Provided, that the county supervisor is authorized and directed to clear the beaches of all debris once a year at low water at his convenience.

Provided, further, there shall be no boat registration license fees charged for the launching of boats on Broadaway Lake.

ITEM P. (7) The amount appropriated under this item is to be used for stationery, postage, and supplies and other purposes.

ITEM Q. These funds shall be used solely for payments of such sums and for such purposes as may be directed by a majority of the Anderson County Legislative Delegation, including the Senator. This may be used during the fiscal year 1965-1966.

ITEM R. All clerks whose salaries are provided for in this act shall receive not less than three thousand dollars per annum during their first year of employment prior to July first of the succeeding year. After the first year of such continuous service for Anderson County the minimum pay shall be three thousand one hundred dollars and after the second such year three thousand two hundred dollars; *provided,* that no employee shall receive less than the pay they received during the preceding year.

The fact that the sum of three thousand two hundred dollars is listed as to each such clerk shall not be deemed to require that such amount be paid but the amount to be paid shall be as hereinabove provided for.

SECTION 4. Upon the estreating of any bond and upon the payment adjusted against the bondsmen being paid to the Clerk of Anderson County, before judgment is entered up in judgment roll, then in such event the clerk is authorized to enter collection of the amount in his fine books and it shall not be necessary for the clerk to enter up judgment in customary judgment roll. However, he shall file the papers connected with the estreating of the bond, along with the warrant, etc., in the case in which such bond was given.

SECTION 5. All salaries set out in this act are intended as the annual salary of the person designated and are to be paid upon a bimonthly basis of twenty-four installments, to be paid on the fifteenth and last day of each month for such time as such person shall be in actual service in their respective positions. All other items herein are to be expended upon approximately a monthly basis unless such expenditure is inconsistent with the purpose of the appropriation, but in no event shall a deficit be allowed in any appropriation made herein.

SECTION 6. The supervisor and county board of commissioners are hereby authorized and directed to equitably distribute road and highway improvements throughout Anderson County, including the incorporated municipalities therein, so that every section of the county shall receive work and improvement on roads, highways and streets in the different localities of the entire county.

SECTION 7. It is hereby provided that no new highway or road or street shall be opened in Anderson County at the county's expense unless the opening of the highway, road or street is approved in writing by a majority of the county board of commissioners, including the supervisor, and they are hereby prohibited from opening any new street for private development, and no streets or roads shall be opened or improved except for the general public.

SECTION 8. All monies appropriated and designated herein shall be for the purposes designated and any transfer of funds shall be approved by the Anderson County Legislative Delegation.

SECTION 9. Any funds now in the hands of the Treasurer of Anderson County, not heretofore or hereby designated to be used for some specified purpose, shall be held by the Treasurer of Anderson County in a fund to be known as the Anderson County Fund. Also, any funds coming into the hands of the county treasurer from any source provided by this act, not herein appropriated for some particular purpose, shall, at the close of the fiscal year covered by this act, be added to the Anderson County Fund as provided for in this section. The Anderson County Fund shall not be used for any purpose except upon the written authorization of the Senator of Anderson County and at least one-half of the members of the House of Representatives of Anderson County; *provided,* however, that this section shall not apply to the Anderson County Health Department.

SECTION 10. All purchases by any county department shall have a purchase order by the department head.

SECTION 11. Each county official ,including heads of Anderson County government subdivisions, shall make an inventory of county-owned equipment (in his office or under his control) along with the serial number (if no serial number is on the equipment he is directed to stamp a number on each item) and forward this information to the supervisor and the board of commissioners and they shall furnish the delegation a complete list and location of all county-owned equipment (including furniture, office equipment, trucks, tractors and so forth) at the beginning of each calendar year.

SECTION 12. All salaries paid partly by the State and partly by the county to constitutional officers shall not exceed a total of six thousand seven hundred dollars per year.

SECTION 13. There is hereby levied on all taxable property of Anderson County a tax of one and one-half mills, the proceeds of which shall be used for school purposes for the fiscal year 1965-1966, by the county board of education, subject to the following provisions:

(1) An amount not greater than the revenue from the levy of one-half mill shall be distributed to the school districts on a per pupil basis for free textbooks for pupils certified by their teachers as being unable to pay for same.

(2) Twenty thousand dollars shall be distributed to the school districts on a per pupil basis for free lunches for pupils certified by their teachers as being unable to pay for same.

(3) Nine thousand dollars shall be distributed to the school districts on an equal basis for music instruction in the public schools.

(4) Five thousand dollars shall be distributed to the school districts on an adult class per pupil basis to help pay the cost of an adult education program as approved by the county board of education.

The county board of education is authorized and directed to employ qualified personnel to fill the following positions in the office of the county superintendent of education:

(1) Secretary to Superintendent of Education
(2) Assistant Superintendent of Education
(3) Supervisor of School Lunch Program

(4) Supervisor of School Attendance

(5) Secretary to Supervisor of School Lunch Program

Such personnel shall be paid salaries in amounts within the discretion of the county board of education. Employees who must use their automobiles in the official performance of their duties shall be paid actual mileage at the rate of nine cents per mile. The county superintendent of education shall be paid mileage at the rate of nine cents per mile.

Members of the county board of education, including the clerk, shall receive ten dollars per diem for each regular monthly meeting attended. Members of the boards of trustees of the several school districts of Anderson County shall receive ten dollars per diem for each monthly meeting attended, such funds to be paid by the respective school districts from current operating funds.

All materials and supplies used by the county board of education and in the office of the county superintendent of education shall be bought and paid for through the office of the county supervisor and the board of county commissioners as are the materials and supplies of other offices of Anderson County.

The appropriations made in this section are for the benefit of the public schools in Anderson County. Funds collected under provisions of this section not above allocated or the expenditure herein provided for shall be used in the payment of such public school costs in Anderson County as the county board of education may deem necessary. The acceptance by the county board of education of any portion of the funds appropriated in this section shall be construed as a relinquishment of any right of that board and of any of the schools in the county to receive any portion of any fines imposed for violation of the criminal laws.

It is hereby made a part of the duties of the county superintendent of education of Anderson County to prepare and submit to the board of trustees of each school district in Anderson County a detailed statement at the end of the fiscal year showing all receipts, and from what source derived, all expenditures and to what account charged to the respective districts. This report shall set forth the amounts of any funds left on hand by each of the districts, together with any outstanding indebtedness and the status of the same.

An annual audit of all funds accruing to the county board of education under this section shall be rendered to the Anderson County Legislative Delegation at the same time that the annual audit is

made, and a copy of same shall be filed in the office of the clerk of court.

All fines, penalties and fees from current and delinquent taxes shall go into the General Fund of Anderson County.

SECTION 14. Every individual, agency, board or commission receiving funds from Anderson County or from the State of South Carolina when purchasing or placing orders for equipment, materials, goods, wares, merchandise or services needed shall make such purchase from firms or individuals within this State whenever such firms or individuals are reliable and offer equipment, materials, goods, wares, merchandise or services of equal quality and specifications with like goods from outside of the State and at a price equal to or less than the price submitted by such nonresident bidders.

SECTION 15. If any word, clause, sentence or section of this act be declared unconstitutional, such shall not affect any other word, clause, sentence or section hereof.

SECTION 16. All funds received from the Anderson County Court for the transcripts shall be deposited with the county treasurer.

SECTION 17. Upon the written authorization of a majority of the Anderson County Legislative Delegation, including the Senator, the county supervisor and the county board of commissioners are authorized to borrow an amount not to exceed $600,000.00 for the purpose of erecting a county office building. The loan shall be evidenced by a note or notes to be executed by the chairman of the board, attested by the clerk, shall be payable within a period of five years and shall be made under such terms and conditions as may be agreed upon by both parties. To secure the payment of the note or notes, the full faith, credit and taxing power of Anderson County are irrevocably pledged and the Auditor of Anderson County is directed to levy and the Treasurer of Anderson County to collect an annual tax upon the taxable property of the county sufficient to retire the loan and interest due thereon.

The funds derived from such note or notes shall be made available to the building committee created pursuant to Senate Resolution No. 242 of 1965 and shall be kept in a separate account.

All accounts of the building committee shall be paid by the county supervisor and the board of commissioners on vouchers certified by the chairman and the secretary of the building committee. *Provided,*

that the Anderson County Legislative Delegation may authorize the County supervisor and commissioners to supply any funds a majority of the Anderson County Legislative Delegation may designate for a building program.

SECTION 18. This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1965.

(R265, H1478)

No. 512

An Act To Authorize The Board Of Trustees Of School District No. 2 Of Bamberg County To Issue General Obligation Bonds Of The School District In An Amount Not Exceeding Five Hundred Fifty Thousand Dollars, To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which Their Proceeds May Be Expended, And To Make Provision For The Payment Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that there exists an immediate need for new buildings and improvements and enlargements of existing buildings in the public school system operated by School District No 2 of Bamberg County (the district), and has determined to permit the Board of Trustees of the School District (the board) to construct and equip the facilities with the proceeds of the bonds authorized by this act.

SECTION 2. Bond issue authorized.—The board may construct and equip additional school buildings and enlarge and improve existing public school facilities in the district; and, in order to raise moneys therefor, the board may issue and sell general obligation bonds of the district (without the necessity of holding any election), in an amount not to exceed five hundred fifty thousand dollars, if on the particular occasion the bonds are issued the applicable constitutional debt limitation shall not be exceeded.

SECTION 3. Maturity.—All bonds issued pursuant to this act shall mature in such annual series or instalments as the board shall provide, except that the first maturing bonds shall mature within

three years from the date of issue; not less than three per cent of the bonds shall mature in each year; and no bond shall mature later than twenty-five years from the date of issue.

SECTION 4. Redemption.—Any bond issued pursuant to this act may be issued with a provision permitting its redemption prior to its stated maturity, at par and accrued interest, plus such redemption premium as may be prescribed by the board, but no bond shall be redeemable prior to its stated maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of the bonds, provision shall be made specifying the manner of call and the notice thereof that must be given as to bonds made redeemable prior to their stated maturities.

SECTION 5. Form.—The bonds issued pursuant to this act shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Bamberg County, upon such conditions as the board may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instrument law.

SECTION 6. Where payable.—The bonds issued pursuant to this act shall be made payable at such place, within or without the State, as the board shall provide.

SECTION 7. Interest.—Bonds issued pursuant to this act shall bear interest at rates determined by the board.

SECTION 8. Denomination.—The bonds and the coupons to be attached shall be in such denomination and shall be executed in such manner as the board shall by resolution prescribe.

SECTION 9. Sale.—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. The published notice shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 10. Payment.—For the payment of the principal and interest of all bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary

therefor, the full faith, credit and taxing power of the district are irrevocably pledged, and there shall be levied annually by the Auditor of Bamberg County, and collected by the Treasurer of Bamberg County, in the same manner as county taxes are levied and collected, on all taxable property in the district, a tax sufficient to pay the principal and interest of the bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

SECTION 11. Exempt from taxes.—The principal and interest of bonds issued pursuant to this act shall have the tax-exempt status prescribed by Section 65-4.1, Code of Laws of South Carolina, 1962.

SECTION 12. Proceeds.—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of Bamberg County, to be deposited in a bond account fund for the district, and shall be expended from time to time and made use of as follows:

(a) Any accrued interest shall be applied to the payment of the first instalment of interest to become due on the bonds.

(b) Any premium shall be applied to the payment of the first instalment of principal of the bonds.

(c) The remaining proceeds shall be expended, upon the warrant or order of the board, for the following purposes:

(i) To defray the cost of issuing the bonds authorized by this act; and

(ii) To provide for additional public school facilities for the district in the manner contemplated by Section 2 of this act.

(d) If, after the completion of the board's program, the board shall certify to the Treasurer of Bamberg County that any remaining balance in the bond account is no longer needed for its program, then the balance shall be held by the treasurer and used to effect the retirement of bonds then outstanding, which shall have been issued pursuant to this act.

SECTION 13. Powers to be additional.—The powers and authorizations hereby conferred upon the board shall be in addition to all other powers and authorizations previously vested in the board and may be availed of pursuant to action taken at any regular or special meeting of the board.

SECTION 14. No further action required.—No election is prescribed as a condition precedent to the issuance of bonds pursuant to this act, and no action other than that prescribed herein need be taken

to effect the issuance of the bonds herein authorized, nor shall the board be required to obtain the approval of any public agency to any action taken pursuant to the authorizations of this act.

SECTION 15. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1965.

(R610, H1868) **No. 513**

An Act Authorizing The Supervisor Of Bamberg County To Borrow Not Exceeding Fifty Thousand Dollars For County Purposes Under Certain Conditions.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Bamberg County may borrow money.—The Supervisor of Bamberg County, with the approval of at least one member of the County Board of Commissioners, is authorized to borrow for county purposes a sum not to exceed fifty thousand dollars from the Division of General Services of the State Budget and Control Board or other sources at the most favorable available rate and upon terms to be agreed upon.

SECTION 2. Payment.—Should the money be borrowed from the Division of General Services and should there be default in any payment, the State Treasurer is directed to withhold any funds accruing to the county and to transmit such funds to the Division of General Services.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R668, H1892) **No. 514**

An Act To Provide For The Levy Of Taxes For County Purposes In Bamberg County For The Fiscal Year Beginning July 1, 1965, And Ending June 30, 1966, And For The Expenditure

Thereof; To Fix The Compensation Of Certain Officers; To Validate Certain Disbursements, Expenditures And Actions During The Fiscal Year 1964-1965; And Otherwise Relating To The Fiscal Affairs Of Bamberg County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The Auditor of Bamberg County is hereby directed to levy a tax of five mills on all of the taxable property in Bamberg County, the proceeds thereof to be turned over to the trustees of Bamberg County Memorial Hospital to be used by them in supplementing other revenue received from the trustees in operating the hospital during the fiscal year beginning July 1, 1965, and ending June 30, 1966. In the event that the funds are not needed for this purpose during the fiscal year ending June 30, 1966, then the funds are to be held by the Treasurer of Bamberg County until they are needed for such purposes.

The trustees of the hospital are authorized to refer all cases requesting hospital assistance to the Department of Public Welfare of Bamberg County, and the Department of Public Welfare is authorized and directed to investigate and make recommendations as to all such cases.

SECTION 2. The Auditor of Bamberg County is hereby directed to levy a tax on all of the taxable property in Bamberg County for ordinary county purposes for the fiscal year beginning July 1, 1965, and ending June 30, 1966, the revenue derived from such tax and other funds to be expended in the amounts and for the purposes hereinafter stated:

Item 1.	Roads and Bridges:	
	Convicts and maintenance of roadworking organization; materials used in and for general operating expenses of plant for manufacturing of concrete bridge materials; also for purchasing new road machinery, trucks, equipment and repairs, if so much be necessary	$ 27,000.00
	Mechanic at county prison	2,909.00
	Foreman at county prison	2,657.00
	Guard at county prison	1,500.00
	Guard at county prison	1,200.00
	Total, Item 1	$ 35,266.00

The Supervisor shall deliver to each member of the legislative delegation, on or before the tenth day of each month, an itemized statement showing the amount of each disbursement made during the preceding month, to whom paid, and for what the voucher was issued.

Item 2.	Clerk of Court's Office:	
	Salary of Clerk	$ 2,840.00
	Clerical help	861.00
	Provided, that the Clerk of Court is authorized to charge a fee of $5.00 for the filing of a summons and complaint.	
	Total, Item 2	$ 3,701.00
Item 3.	Judge of Probate's Office:	
	Salary of Judge of Probate and Acting Master	$ 2,840.00
	Clerical help	861.00
	Total, Item 3	$ 3,701.00
Item 4.	Auditor's Office:	
	Salary of Auditor, $5,561.61 less $4,161.61 contributed by the State	$ 1,400.00
	Clerical help	861.00
	Travel expense	300.00
	Total, Item 4	$ 2,561.00
Item 5.	Treasurer's Office:	
	Salary of Treasurer, $5,561.61 less $4,161.61 contributed by the State	$ 1,400.00
	Clerical help	861.00
	Travel expense	200.00
	Total, Item 5	$ 2,461.00
Item 6.	Sheriff's Office:	
	Salary of Sheriff	$ 5,672.00
	Deputy Sheriff (one)	4,500.00
	Office Clerk	2,400.00
	Provided, that the deputy shall also act as constable for the Magistrate at Bamberg.	

	Travel subsistence allowance—$750.00 for the Sheriff and Deputy Sheriff—to be paid on a monthly basis		1,500.00
	Gas, oil and upkeep of two cars owned by county and used by the Sheriff and Deputy Sheriff, if so much be necessary		2,500.00
	To purchase uniforms for Sheriff and Deputy Sheriff		300.00
	To purchase photo supplies, ammuntion, etc., if so much be necessary, by approved vouchers		200.00
	For radio repair and service		300.00
	Total, Item 6	$	17,372.00
Item 7.	Superintendent of Education's Office:		
	Salary of Superintendent of Education, $6,463-.20, less $5,211.78 paid by the State	$	1,251.42
	For use of auto, maintenance and travel expense		618.00
	Total, Item 7	$	1,869.42
Item 8.	Supervisor's Office:		
	Salary of Supervisor	$	3,540.00
	Salary of Clerk		6,422.00
	For use of auto, maintenance and travel expense		525.00
	County Commissioners, two @ $440.75 each		881.50
	Total, Item 8	$	11,368.50
Item 9.	Coroner's Office:		
	Salary of Coroner	$	489.40
	For traveling expense and stenographic fees for taking and transcribing testimony		120.00
	Total, Item 9	$	609.40
Item 10.	Jail:		
	Salary of Jailor	$	1,260.00
	Jail expenses, including dieting of prisoners, if so much be necessary. *Provided,* that the jailor shall be allowed one dollar a day for each prisoner (any city prisoner to pay county two dollars turnkey and one dollar a day for dieting)		4,000.00
	Total, Item 10	$	5,260.00

Item 11.	Miscellaneous Salaries:		
	Attorney	$	466.40
	Physician		466.40
	Clerical help, School Lunch Supervisor		954.45
	Clerical help, Home Demonstration Agent's Office		600.00
	Part salary, Negro Home Demonstration Agent		720.00
	Clerical help, Negro Farm and Home Demonstration Agents		900.00
	Maid at Courthouse		1,419.00
	Janitor at Courthouse		1,419.00
	Total, Item 11	$	6,945.25
Item 12.	County Boards:		
	Board of Education	$	400.00
	Board of Equalization		600.00
	Total, Item 12	$	1,000.00
Item 13.	For the purchase of furniture and equipment for the various county offices, if so much be necessary, with expenditures from this appropriation to be first approved by the legislative delegation	$	1,500.00
	Total, Item 13	$	1,500.00
Item 14.	Court Expenses	$	4,320.00
	Provided, that jurors and bailiffs shall be paid five dollars per day for services in attendance upon courts. The jury boy shall be paid three dollars per day for services in attendance upon courts. Jurors in magistrates' courts in criminal cases and jurors in coroner's court one dollar per day, to be paid upon warrants of the magistrates or coroner. *Provided,* further, that out of the funds herein appropriated for court expenses, the resident Circuit Judge is hereby authorized to use for stenographic services not to exceed the sum of $820.00.		
	Total, Item 14	$	4,320.00

Item 15.	Magistrates' and Constables' Salaries:	
	Magistrate at Bamberg	$ 2,240.00
	Constable at Bamberg (Deputy Sheriff acts as Constable).	
	Magistrate at Denmark	1,120.00
	Constable at Denmark	530.00
	Magistate at Olar	653.00
	Constable at Olar	381.60
	Magistrate at Ehrhardt	653.00
	Constable at Ehrhardt	381.60
	Magistrate at Fishpond Township	539.30
	Constable at Fishpond Township	321.80
	Provided, that if the magistrates for the Towns of Bamberg, Denmark, Olar and Ehrhardt do not live in the respective towns, they shall establish office hours in the towns on Saturdays from 10 a. m. to 4 p. m. of each week and be available during such time for official duties.	
	Total, Item 15	$ 6,820.30
Item 16.	Welfare Department (State):	
	For emergency relief	$ 1,000.00
	All cases receiving assistance from this fund to be approved by a majority of the board. *Provided,* that the director may approve cases needing immediate attention and in which suffering would result if assistance were delayed, but in such cases he shall make a full report showing the nature of the emergency and the amount given each recipient at the next meeting. A monthly report of all expenditures shall be made to the legislative delegation.	
	Total, Item 16	$ 1,000.00
Item 17.	Public Buildings, including water, fuel, lights, telephone, insurance and purchase of cleaning materials and tools for building and grounds, and for repairs to county property.	$ 10,371.85
	Total, Item 17	$ 10,371.85

Item 18.	Post mortems, inquests and lunacies	$ 650.00
	Total, Item 18	$ 650.00
Item 19.	Printing, postage and stationery	$ 3,500.00
	Provided, that itemized bills for all expenditures out of this sum shall be filed with the county supervisor before payment is made. *Provided,* further, that the amount be apportioned to the various offices on approximately the same basis as heretofore used by these offices, and that no office or officer shall be allowed to use during the current year an amount in excess of the sum apportioned by the County Board.	
	Total, Item 19	$ 3,500.00
Item 20.	County Health Department, if so much be necessary, the amount to be determined by the Bamberg County Legislative Delegation and the Bamberg County Health Department	$ 8,573.50
	For rabies control	100.00
	Tuberculosis work in county	1,000.00
	Total, Item 20	$ 9,673.50
Item 21.	Miscellaneous:	
	(a) Vital Statistics	$ 225.00
	(b) Premium on Bonds	660.00
	(c) For auditing county books for 1964-65	2,000.00
	(d) Boys' 4-H work	175.00
	(e) Girls' 4-H work and Women's 4-H work	175.00
	(h) Demonstation supplies for Home Agent	125.00
	(i) Demonstration supplies and photographic material for Farm Agent, if so much be necessary	100.00
	(j) Bamberg Public Library	8,137.00
	(k) For burial of paupers	1,000.00
	(l) Rent for Federal projects and for county agencies, if so much be necessary	52.00
	(m) To pay premium for Workmen's Compensation Insurance for county officials and employees, if so much be necessary	800.00

(n) For retirement of county officers and employees, if so much be necessary	2,400.00
(o) Social Security for county employees	2,560.00
(p) For National Guard, to be expended upon vouchers approved by the Captain of the National Guard	1,000.00
(q) Edisto Soil Conservation District, to be used for farm work in Bamberg County	500.00
(r) To supplement salary of County Farm Demonstration Agent	400.00
(s) Colored County Farm Demonstration Agent	400.00
(t) Flowers and shrubbery for Bamberg County Hospital	100.00
(u) Janitor for Health Department and Welfare Department, and to care for Courthouse and Library grounds under supervision of Health Department	1,000.00
(v) Fertilizer and improvements for Courthouse and Library shrubbery	200.00
(w) Official expense—Circuit Judge (to be paid upon warrant of Circuit Judge)	720.00
(x) To supplement salary of County Forest Fire Protection Unit Driver	180.00
(z) To supplement salary of Assistant Farm Demonstration Agent	120.00
(aa) Employer contribution—S. C. Police Retirement	1,000.00
(bb) To supplement salary of County Service Officer	240.00
(cc) To supplement salary of County Forest Ranger	240.00
(dd) Willow Swamp Watershed District, if so much be necessary, to be paid upon voucher of the Chairman of the Willow Swamp Watershed District	500.00
Total, Item 21	$ 25,009.00

Item 22.	Contingent Fund	$ 10,000.00
	To be used only with the written approval of the Bamberg County Legislative Delegation.	
	Total, Item 22	$ 10,000.00
Item 23.	Bamberg County Planning and Development Board, to be paid upon vouchers approved by the chairman and secretary, if so much be necessary	$ 500.00
	Total, Item 23	$ 500.00
Item 24.	For annual expenses, maintenance and operation of the J. C. Kearse Agriculture Building, if so much be necessary	$ 5,000.00
	Provided, that all Federal agencies with officers located in such building shall pay to the General Fund of Bamberg County their proportionate share of the above cost, based on a square footage occupancy.	
	Total, Item 24	$ 5,000.00
Item 25.	Tax Collector	$ 2,090.00
	Travel expense	300.00
	Provided, that the supervisor shall not disburse any amounts, including salaries, under this item unless the report has been filed for the preceding month.	
	Clerical help	1,200.00
	Provided, that all taxes other than merchants' and corporation taxes due the county prior to and including taxes for the year 1959 shall be collected, nulla bona, or levied upon by the Tax Collector of Bamberg County on or before November 1, 1965.	
	Provided, further, that all merchants' and corporation taxes due the county prior to and including taxes for the year 1964 shall be collected, nulla bona, or levied upon by the Tax Collector of Bamberg County on or before November 1, 1965.	
	Total, Item 25	$ 3,590.00

Item 26.	Civil Defense	$ 6,116.03
	Total, Item 26	$ 6,116.03
Item 27.	Maintenance, Denmark Auxiliary Health Center	100.00
	Total, Item 27	$ 100.00
Item 28.	Pest Control Service	$ 492.00
	Total, Item 28	$ 492.00
Item 29.	Western Carolina Higher Education Commission, if so much be necessary, to be paid in such installments as requested and upon vouchers of the Bamberg County members of the Western Carolina Higher Education Commission	$ 7,000.00
	Total, Item 29	$ 7,000.00
Item 30.	For the purchase of land for necessary or desirable county purposes, if so much be necessary, to be paid upon approval of the legislative delegation	$ 8,500.00
	Total, Item 30	$ 8,500.00
	GRAND TOTAL	$196,257.25
	Estimated Revenue:	
	Fines and Licenses	$ 15,000.00
	Gasoline Tax (one cent)	60,000.00
	Insurance Licenses	10,000.00
	Liquor Taxes	17,000.00
	Beer and Wine Tax	4,500.00
	Execution Fees	1,500.00
	Income Tax	24,000.00
	Bank Tax	2,000.00
	Diversion from Hospital Millage	8,137.00
	Miscellaneous	12,000.00
	Total, Estimated Revenue	$154,137.00
	Amount to be raised by taxation	**$ 42,120.25**

SECTION 3. The appropriation made under the foregoing section for the office of Sheriff and office of Treasurer of Bamberg County is intended to be full compensation for their respective services. *Provided,* that all mileage and docketing fees shall be turned over to the treasurer and placed in the sheriff's auto maintenance and traveling expenses fund. *Provided,* further, that mileage shall be nine cents per mile and per diem ten dollars.

SECTION 4. No charge shall be made by the auditor for entries upon the books of his office of any transfer of real estate by deed or other written instruments.

SECTION 5. The commutation road tax shall be considered as a part of the revenue of the county for road purposes, and is not to be expended in addition to the amount appropriated in Item 1 of this act.

SECTION 6. The amounts provided for herein for the several purposes shall be expended for the purpose stated and none other, and any unexpended balance in hand at the expiration of the fiscal year shall revert to the general fund of the county.

SECTION 7. Should there be any deficit in any item of the 1964-1965 appropriations act, or should any deficit occur in any item under the provisions of this act, the county treasurer is hereby authorized and directed to transfer any surplus appearing in any account to any deficit appearing in any other account; and if the surpluses from such items are insufficient to cover the deficits, then there is hereby appropriated out of the General Fund of Bamberg County a sufficient amount to cover such deficits, provided the payment of same has been authorized in writing by the Bamberg County Legislative Delegation.

SECTION 8. No expense allowed under this act shall be paid out in bulk, but is to be for actual expenses incurred in official business, and the supervisor is hereby required to demand and retain proper itemized and verified vouchers for each such expenditure.

SECTION 9. It shall be unlawful for the county supervisor or board of commissioners to make any contracts to purchase or to make any purchase for an amount exceeding one thousand dollars without the written consent of the legislative delegation.

SECTION 10. Any expense incurred by reason of failure of an officer of the county to perform the duties of his office, as required

by law, shall be deducted from the salary of the officer so failing to perform his duty.

SECTION 11. No warrant shall be issued to pay any magistrate and his constable until the end of the month and until such magistrate has filed his report of the proceedings of his court, and such magistrate shall have filed a bond as provided by law.

SECTION 12. The county treasurer is authorized and directed to mail to every taxpayer the same form of notice as provided for under the terms of Section 11 of the appropriations act of Bamberg County for the year 1943.

SECTION 13. The clerk of court is hereby authorized and directed to charge the sum of fifty cents to satisfy any real estate mortgage; *provided,* that the satisfaction is in the form as authorized under item (1) of Section 45-65 of the 1962 Code. For recording chattel mortgages for amounts under one hundred dollars, the clerk is hereby authorized and directed to charge the same fee as any chattel mortgage, regardless of the amount of such mortgage.

SECTION 14. All chattel mortgages will be recorded in the same books and indexed accordingly.

SECTION 15. The resident Circuit Judge shall be entitled to the same benefits as any other county official.

SECTION 16. A certain sum to be determined under the provisions of Act 238 of 1959 shall be placed in the general fund of the county, which amount shall be diverted from hospital millage by the Treasurer of Bamberg County.

SECTION 17. The local library board shall have the authority to contract with neighboring counties and with the State Library Board when in so doing they can accomplish the extension and improvement of library service in Bamberg County.

SECTION 18. The Treasurer of Bamberg County is hereby authorized and directed to turn over to the Bamberg County Planning and Development Board such sums of money as may be directed by the Bamberg County Legislative Delegation. The funds are to be used by the Bamberg County Planning and Development Board for such projects as in the discretion of the board will tend to relieve unemployment in the county and stimulate business within the county.

SECTION 19. The disbursements, expenditures and actions authorized by the Bamberg County Legislative Delegation during the fiscal year 1964-1965 in connection with the operation of the county, and departments and agencies thereof, are hereby validated and declared to be legal and binding acts of the officials of the county who acted in pursuance thereof.

SECTION 20. The provisions of this act as to the several officers in Bamberg County named in this act are mandatory and not discretionary and, upon failure or refusal of any of them to do the things herein directed and required to be done by them, the supervisor shall immediately bring and institute in the courts mandamus or such other proceedings as may be proper or necessary to carry into effect the provisions of this act. The county attorney is directed to advise all officers named in this act of their respective duties required of them in this act, and whenever necessary take legal steps at the direction of the county supervisor in the enforcement thereof.

SECTION 21. Any appropriations made by this act may be reduced or eliminated by order of the Legislative Delegation from Bamberg County and, when any new employee enters the service of Bamberg County, whether replacing an existing employee or filling a new position, the compensation or salary of such new employee shall be set by the legislative delegation.

SECTION 22. If any word, phrase, part or section of this act is held unconstitutional, the remaining portion shall continue in full force and effect.

SECTION 23. This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1965.

(R397, H1630)

No. 515

An Act To Authorize The Trustees Of Blackville School District No. 19 Of Barnwell County To Borrow Not Exceeding The Sum Of Forty Thousand Dollars For School Purposes; And To Provide For The Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Blackville School District No. 19 may borrow money.—The Board of Trustees of Blackville School District No. 19 of Barnwell County is authorized to borrow not exceeding the sum of forty thousand dollars from any bank or lending agency, at a rate of interest not exceeding four per cent, for school purposes. The loan shall be secured by a note executed by the chairman of the board and the treasurer of the county.

SECTION 2. Payment.—In order to provide for the payment of the loan and the interest thereon, the auditor of the county shall levy and the treasurer shall collect an annual tax upon all the taxable property of the school district sufficient to retire the loan plus interest within a period of ten years. The installments shall be paid annually on May tenth of each year, the first payment beginning on May 10, 1966. The entire proceeds of this tax shall be paid annually to the bank or lending agency from whom the money is borrowed, and shall be applied to the principal and interest of the note given to secure the loan, until the debt with interest is paid in full, at which time the tax shall no longer be levied.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of May, 1965.

(R679, H1560)

No. 516

An Act To Provide For The Levy Of Taxes For Ordinary County Purposes In Barnwell County For The Fiscal Year Beginning July 1, 1965; To Provide For The Expenditure Thereof; And To Provide For Other County Purposes.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The County Auditor of Barnwell County is hereby directed to levy a tax on all the taxable property of the County of Barnwell for county purposes for the fiscal year beginning July 1, 1965, and ending June 30, 1966, sufficient to pay the following appropriations:

Item 1. Roads and Bridges:

Convicts and maintenance road working organizations	$ 22,000.00
	$ 22,000.00

Item 2. Clerk of Court's Office:

Salary of Clerk of Court	$ 1,000.00
Salary of Assistant Clerk	1,920.00
Indexing birth and deaths	200.00
Recording discharge of soldiers and sailors	150.00
Repairing and binding books, if so much be necessary	200.00
To provide for preserving by the process of lamination or otherwise, through the State Archives Department, certain very old and brittle records of the county	300.00
Telephone	112.00
	$ 3,882.00

Provided, that the fee that may be charged by the Clerk of Court for Barnwell County for the recording, filing, indexing and/or registering of any mortgage or other instrument conveying a lien on crops growing or to be grown and/or personal property and made to any corporation organized under the Act of Congress known as the Farm Credit Act of 1933, a Regional Agricultural Credit Corporation, a Federal Intermediate Credit Bank, or any other corporation which rediscounts notes or other obligations with or procures loans from a Federal Intermediate Credit Bank, the Reconstruction Finance Corporation, or the Government of the United States or any department, agency, instrumentality or officer thereof, shall be fifty (50¢) cents; *provided,* that a copy or duplicate of such instruments be furnished to the recording officer. Barnwell County is specifically excepted from the provisions of Sections 27-60, 27-61, 27-66, 60-2 and 60-303 of the 1962 Code; *provided,* further, that in addition to the fee hereinabove fixed for recording chattel mortgage, the Clerk of Court may charge an additional fee of twenty-five (25¢) cents, when he is required to search the records before recording any such mortgage. *Provided,* further, that not-

withstanding Section 27-52 of the 1962 Code, in Barnwell County the Clerk of Court shall receive for recording deeds without dower a fee of $2.00; deeds with dower a fee of $2.25; chattel mortgages a fee of $1.50; and chattel mortgages with assignment a fee of $2.00. *Provided,* that the Clerk of Court is authorized and directed to remove from the active shelves of the Clerk's office and store or destroy all chattel mortgage records ten (10) years of age or older.

Item 3. Sheriff's Office:

Salary of Sheriff	$ 3,360.00
For use of auto, maintenance and travel expense of Sheriff	2,000.00
Salaries of two Deputy Sheriffs, to be appointed by the Sheriff ($3,000.00 each)	6,000.00
For use of autos for two Deputy Sheriffs, who furnish their own cars, maintenance and gasoline ($1,800.00 each)	3,600.00
Replacement of uniforms for two Deputy Sheriffs ($150.00)	300.00
Salary of Clerk	2,400.00
	$ 17,660.00

Item 4. Treasurer's Office:

Salary of Treasurer	$ 1,200.00
Salary of Clerk	2,400.00
Assistant Clerk, two months @ $200.00 per month	400.00
Telephone	112.00
	$ 4,112.00

Item 5. Auditor's Office:

Salary of Auditor	$ 1,200.00
Traveling expenses of Auditor	300.00
Salary of Clerk	2,400.00
Salary of Assistant Clerk (10 months @ $200.00 per month)	2,000.00

	Purchasing and/or repairing and binding books, if so much be necessary	200.00
	Telephone	112.00
		$ 6,212.00
Item 6.	Board of Education:	
	Salary of Clerk	$ 1,800.00
	Travel, Attendance Teacher	400.00
	Members of County Board, each $150.00	1,050.00
	Expenses, County Board	500.00
		$ 3,750.00

Provided, that in addition to the salary provided for the County Board of Education, there shall be allowed ten (10¢) cents per mile travel going to and returning from official meetings of the board.

Item 7.	Judge of Probate's Office:	
	Salary of Judge of Probate and Acting Master	$ 1,800.00
	Salary for Clerk	1,200.00
	For additional clerical help	300.00
	To provide for preserving by the process of lamination or otherwise, through the State Archives Department, certain very old and brittle records of the county	300.00
		$ 3,600.00

Provided, that the fees charged by the Judge of Probate for Acting Master shall be the same as those heretofore provided by law for the Master of Barnwell County, in the Code. *Provided,* further, that any general law to the contrary notwithstanding, except any general legislation passed in 1952, the fees charged by the Judge of Probate of Barnwell County shall be those provided for in Section 27-308 of the 1962 Code.

Item 8.	Coroner's Office:	
	Salary of Coroner	$ 900.00
		$ 900.00

Item 9. County Board of Managers:

Salary of Supervisor of Roads	$ 3,000.00
Traveling expenses for Supervisor	1,800.00
Expense allowance for Supervisor	600.00
Salary of County Managers, five @ $500.00 each	2,500.00
Travel expenses for Chairman	100.00
Salary of Clerk	2,600.00
Printing, postage and stationery	8,350.00
Contribution to the poor and needy of Barnwell County, to be expended under the direction of the County Board of Managers to cases not otherwise covered by law	2,000.00
Emergency relief, to be disbursed under direction of the Department of Public Welfare	2,000.00
Travel for Child Welfare Worker	480.00
Expenses, Director Barnwell DPW investigating hospital cases	300.00
	$ 23,730.00

Provided, that no charity patient shall be admitted to the Barnwell County Hospital unless certified by the Barnwell County Department of Public Welfare.

Provided, that the item for printing, postage and stationery shall, by the County Board of Managers, be apportioned in the various offices in Barnwell County entitled to use the fund on a basis of the ratio hereinabove used, and no office or officer shall be allowed to use during the current year an amount in excess of the sum so apportioned by the County Board of Managers.

Provided, further, that the farm lands owned by the county and operated as the Poor House Farm shall be used by the County Board of Managers in its discretion for the growing of foodstuffs for use by the County Chain Gang and County Hospital.

Item 10.	Tax Collector's Office:		
	Salary of Tax Collector	$	1,800.00
	Salary of Clerk		1,500.00
		$	3,300.00
Item 11.	Magistrates and Constables:		
	Magistrate at Barnwell	$	2,400.00
	Expenses for Magistrate at Barnwell		300.00
	Constable at Barnwell		780.00
	Magistrate at Blackville		780.00
	Constable at Blackville		780.00
	Magistrate at Williston		780.00
	Constable at Williston		780.00
	Magistrate at Hilda		540.00
	Constable at Hilda		540.00
	Magistrate at Red Oak		540.00
	Constable at Red Oak		540.00
		$	8,760.00
	Provided, that no warrant shall be issued to pay any Magistrate and his Constable until at the end of each month and such Magistrate has filed his report of the proceedings in his court and accounted for all monies collected.		
Item 12.	County Jail:		
	Dieting prisoners	$	2,480.00
	The Sheriff shall act as jailor without additional compensation.		
		$	2,480.00
Item 13.	Court Expenses:		
	Court expenses	$	2,500.00
	Secretarial help for the Judge of the Second Judicial Circuit		500.00
		$	3,000.00
Item 14.	Health Work:		
	Physicians, County Jail and Chain Gang	$	400.00
	Contribution to operation of County Health Department to match State funds, as provided by law, including $500.00 for T. B. work		4,603.20

	Vital Statistics:		
	To pay local Vital Statistics Registrars, if so much be needed		300.00
	Contribution to tuberculosis work		500.00
		$	5,803.20

Provided, that all monies expended by the County Health Department shall be spent upon the written approval of the Barnwell County Legislative Delegation.

Item 15.	Public buildings, including water, fuel, lights, insurance, also salary and expense of $3,800.00 for Superintendent and Maintenance Engineer for all public buildings, including Courthouse, Office Building, Health Building, County Jail, Agricultural Building, County Farm Prison Building, and County Library; for keeping grounds beautified around such buildings; and for the use of personal truck and tools	$	25,000.00
		$	25,000.00
Item 16.	Farm and Home Demonstration Work:		
	County Agent's Work:		
	County Agent, part salary	$	480.00
	Assistant County Agent		240.00
	Boys' 4-H Club work		75.00
	Contingent, stamps, etc., for County Agent and Assistant County Agent		50.00
	Home Demonstration Agent:		
	Girls' 4-H Club work and Women's HD work		75.00
	Demonstration supplies for Home Demonstration Agent		75.00
	Contingent, stamps, etc., for Home Demonstration Agent		25.00
	Secretary, salary for Home Demonstration Agent		420.00
	Telephone for County Agent and Home Demonstration Agent		100.00
	Assistant Agricultural Agent:		
	Boys' 4-H Club work		75.00

	Telephone for Assistant Agricultural and Associate Home Demonstration Agents	125.00
	Contingent, stamps, etc., for Assistant Agricultural Agent	25.00
	Clerk, salary, Assistant Agricultural and Associate Home Demonstration Agent	1,200.00
	Associate Home Demonstration Agent:	
	Salary, Associate Home Demonstration agent	1,044.00
	Girls' 4-H Club work and Women's HD work	75.00
	Demonstration supplies for Associate HD Agent	75.00
	Contingent, stamps, etc. for Associate HD Agent	25.00
	Barnwell Soil Conservation District	500.00
		$ 4,684.00
Item 17.	Library Board, including water, fuel, lights, also salaries, purchase of books and periodicals, book binding, library supplies. Bookmobile operation and insurance, miscellaneous items, and Librarian's expenses to S. C. Library Association meeting	$ 12,641.22
	Discretionary fund (extra cleaning, expenses of special events, etc.)	275.00
		$ 12,916.22
	Provided, that upon the approval of the County Delegation of Barnwell County the Library Board of Barnwell County is authorized to enter into contracts and agreements with other county library boards of the State, and the South Carolina State Library Board and to fully cooperate therewith in encouraging and promoting the establishment and use of libraries, the procurement of funds therefor, and the efficient use of such funds in establishing and improving public library service.	
Item 18.	Miscellaneous:	
	Premium on Bonds	$ 900.00
	Post mortems, lunacy and inquests	600.00
	County Attorney	150.00
	Board of Equalization	1,400.00

County Audit	1,200.00
S. C. Industrial Commission	1,580.57
S. C. Retirement System	2,860.00
Social Security Trust Fund	3,625.00
Contribution to Richardson-Walsh American Legion Hut	200.00
Contribution to American Legion Post at Williston	200.00
Contribution to American Legion Post at Blackville	200.00
Contribution to Barnwell County National Guard Maintenance Fund	1,000.00
Blue Cross - Blue Shield	3,820.00
Civil Defense (to be expended on approval of Barnwell County Legislative Delegation)	3,300.00
Fifty per cent (50%) of salaries of two radio operators jointly operating radio service between the city of Barnwell and the county law enforcement officers	2,500.00
S. C. Police Officers Retirement System	1,800.00
Board of Registration	600.00
Miscellaneous Contingent Fund	4,000.00
	$ 29,935.57
GRAND TOTAL	$181,724.99
Less Estimated Revenue other than Taxes:	
Fines and Licenses	$ 7,000.00
Commutation Tax	3,000.00
Gasoline Tax (1 cent)	64,000.00
Insurance License Fees	16,000.00
Liquor Tax	23,000.00
Income Tax	26,000.00
Miscellaneous	5,000.00
	$144,000.00
Amount to be raised by taxation	$ 37,724.99

SECTION 2. On and after the passage of this act, until specifically repealed, the road tax in Barnwell County shall be $2.00 per year.

SECTION 3. The contingent fund herein created shall be spent only upon the written approval by the Legislative Delegation after being first approved by the County Board of Managers.

SECTION 4. Effective January 1, 1955, and each year thereafter, travel expense and/or travel expenses shall mean remuneration for services rendered.

SECTION 5. The County Board of Managers shall publish annually at the end of each fiscal year in a newspaper having general circulation in the county a report showing all of the expenditures made by the said County Board of Managers during the said fiscal year.

SECTION 6. No claim shall be approved or warrant issued therefor unless claims be itemized and sworn to.

SECTION 7. *Provided,* that at the end of the fiscal year 1965-66 the county treasurer is hereby authorized and directed to transfer any surplus appearing in any account to any deficit appearing in any other account, and if the surpluses are not sufficient to cover deficits the treasurer is authorized and directed to charge said deficit against any surplus funds in hand, upon the written authority of the Legislative Delegation.

SECTION 8. In anticipation of the collection of taxes herein provided for, the Board of County Managers and the treasurer are authorized and empowered to borrow, on the credit of the county, such sums as are necessary to carry out the provisions of this act and to pledge current taxes in payment therefor. Such obligations shall be signed by the treasurer and the chairman of the Board of County Managers, attested by the clerk of such board.

The county treasurer is hereby authorized upon the approval of the Barnwell County Legislative Delegation at any time to borrow any such sum or sums of money on the credit of the county, as are necessary, for county purposes including necessary contributions to the maintenance and support of the Barnwell County Hospital.

SECTION 9. All American Legion Huts in Barnwell County are exempted from county taxes.

SECTION 10. All magistrates hereafter elected and/or appointed before qualifying shall file with the County Board of Managers good and sufficient bond conditioned for the faithful performance of their

duties in the sum of $500.00 which said bond shall be approved by the County Board of Managers.

SECTION 11. That no lunatic shall hereafter be confined in or committed to the county jail except for a period not exceeding five days awaiting transfer to the State Hospital; and the Probate Judge shall make no charge for any lunacy proceedings held unless the lunatic in question shall actually be committed to the State Hospital.

SECTION 12. The County Board of Managers and/or Supervisor are hereby directed to furnish from the chain gang a suitable trusty or trusties to be assigned for work in and about the courthouse, Barnwell County Hospital and other public buildings and grounds, for the maintenance and upkeep of same, and such shall be under the direction and control of the Superintendent and Maintenance Engineer for Public Buildings. *Provided,* the Board of Managers is authorized and directed to assign a trusty from the chain gang as a laborer at the county jail.

SECTION 13. The charge for weighing cotton in Barnwell County shall be twenty cents per bale, one-half of which shall be paid by the buyer and one-half by the seller.

SECTION 14. In the expenditure of the money appropriated in this act, only one-twelfth shall be spent each month, unless upon the written approval of the Legislative Delegation.

SECTION 15. There is hereby created a County Board of Health for Barnwell County, which shall be constituted as follows: a medical doctor to be named by the Barnwell County Medical Association, a veterinarian to be named by the veterinarians of Barnwell County, one citizen to be named by the Mayor and Town Council of the Town of Barnwell and one citizen to be named by the Mayor and Town Council of the Town of Blackville and one citizen to be named by the Mayor and Town Council of the Town of Williston. Said Board shall organize and elect a chairman and a secretary; it shall establish rules and regulations and enforce the same to the end that the health of the people of Barnwell County shall be promoted and protected. Said Board shall have all the powers and authorities usually performed by a Board of Health, shall meet on the call of the chairman at such times as the public health requires, in cases of emergency and otherwise, and the members shall receive a per diem of $5.00 each

per day in attendance upon meetings of the Board and travel at 5¢ per mile to and from their places of residence.

SECTION 16. Barnwell County is authorized to cooperate with any State or Federal Agency in providing additional recreational facilities for the county, and the county upon the approval of the Legislative Delegation is authorized to transfer such county property as may be necessary to accomplish this end.

SECTION 17. All expenditures heretofore made upon the approval of the Barnwell County Board of Managers and the County Delegation from either the general, special or surplus funds of the County are hereby approved and ratified.

SECTION 18. Any overdrafts authorized by the County Board of Managers or by the County Delegation shall be charged to the general funds of the county and any funds so far or hereafter paid out in accordance with this plan are hereby validated.

SECTION 19. Grand and petit jurors shall each hereafter be paid at the rate of $6.00 per court attendance day.

SECTION 20. *Provided,* that the maintenance and supervision of all public buildings in Barnwell County shall be under the supervision of the County Supervisor, and the office hours and the days the said offices shall be open shall be designated by the County Board of Managers.

SECTION 21. *Provided,* that the auditor and treasurer are hereby authorized and directed to levy and collect a tax of three mills on all the taxable property of Barnwell County not exempt by law, for the operation and maintenance of the Barnwell County Hospital.

SECTION 22. The Shuron Optical Company, Division of Textron, and Barnwell Industries, Inc., and The Bud Berman Plant at Williston are hereby exempted from all county and school taxes for a period of five years beginning January 1, 1961.

This tax exemption shall also apply to any and all new manufacturing business enterprises of the same investment and above locating in Barnwell County.

SECTION 23. Any law enforcement officer of Barnwell County having a case before any magistrate of the county shall obtain a statement from such magistrate showing the name of the defendant, the

offense for which such defendant is charged and the amount of fine received by the magistrate if the defendant is convicted. Such statement shall be furnished by each magistrate on the request of the law enforcement officer, and the law enforcement officer shall file the statement with the Treasurer of Barnwell County on or before the first day of each month following the issuance of the statement. No law enforcement officer and/or magistrate of Barnwell County who fails to comply with the provisions of this section shall receive any salary.

SECTION 24. The County Board of Managers shall make checks payable to each employee and officer for compensation provided therefor in this act. No person's compensation shall be included in the check of any other person.

SECTION 25. All acts or parts of acts inconsistent herewith are repealed.

SECTION 26. This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1965.

(R137, H1059) **No. 517**

An Act To Amend Act 1042 Of 1962, Relating To The Fripps Island Public Service District, So As To Authorize The District To Sell Water Outside The District Limits, To Authorize Assessments On A Front Foot Basis On Lots Abutting On Water Lines Of The District, And To Increase The Authorized Bond Limit.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Paragraph 8, Section 3 of Act 1042 of 1962 amended—powers and duties.—Paragraph 8 of Section 3 of Act 1042 of 1962 is amended by adding at the end the following: "and to sell water to persons owning lands outside the district whose land is contiguous to the main supply line from the wells to the district." The paragraph when amended shall read as follows:

"8. To build, acquire, construct, operate and maintain such waterworks system as shall, in the opinion of the commission, be necessary for the district and to sell water to persons owning lands outside the

district whose land is contiguous to the main supply line from the wells to the district."

SECTION 2. Section 3 of Act 1042 of 1962 amended—powers and duties.—Section 3 of Act 1042 of 1962 is amended by adding at the end thereof new paragraph 18 to read as follows:

"18. To impose on lands within the district abutting on water lines of the district assessments based on front footage in the manner prescribed by any legislation hereafter enacted."

SECTION 3. Bonds may be issued.—Notwithstanding the provisions of Section 4 of Act 1042 of 1962, the Fripps Island Public Service District may issue not exceeding two hundred sixty thousand dollars of general obligation bonds as provided in Section 4 of the act.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 5th day of March, 1965.

(R213, H1376)

No. 518

An Act To Amend Act No. 1041 Of 1962, Relating To The Borrowing Of Money By Forest Beach Public Service District, So As To Modify The Purposes For Which The Bonds Issued Pursuant To The Act May Be Used.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that by Act No. 1041 of 1962 Forest Beach Public Service District Commission (the commission) was empowered to issue general obligation bonds of Forest Beach Public Service District (the district) not exceeding forty-five thousand dollars, whose proceeds were to be used for the purpose of preventing and controlling beach erosion in the district.

Until now no bonds have been issued pursuant to such authorization, but a temporary loan was obtained, pending the issuance of bonds, which loan is now outstanding.

It has also been established that the district has certain indebtedness resulting from the construction of water and sewer systems for the district, and as a consequence it has been determined that all or

any portion of the proceeds of the bonds authorized by Act No. 1041 of 1962 may be applied to the payment of the indebtedness above referred to, for further erosion control, or for expansions to the water and sewer systems of the district.

SECTION 2. Section 12 of Act 1041 of 1962 amended—proceeds.—Act No. 1041 of 1962 is amended by striking out Section 12 and inserting in lieu thereof the following:

"Section 12. The proceeds of any bonds issued pursuant to this act shall be applied to the payment of all or any part of the indebtedness of the district and so much as shall remain therefrom may be used, in the discretion of the commission, for the control of beach erosion or for the expansion of its water or sewer systems."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of March, 1965.

(R216, H1388)

No. 519

An Act To Authorize The Board Of Directors Of Beaufort County To Convey Certain Property To The Beaufort County Higher Education Commission.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Beaufort County may convey certain property.—The Board of Directors of Beaufort County is hereby authorized to convey to the Beaufort County Higher Education Commission the following property:

> That lot of land, and the improvements thereon, designated as Block 32 of the City of Beaufort according to the survey of the United States Direct Tax Commissioners for the District of South Carolina, and described as follows: Bounded on the North by Washington Street, on the East by New Street, on the South by Duke Street, and on the West by Carteret Street.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of March, 1965.

(R235, H1298) **No. 520**

An Act To Grant To Beaufort County All Right, Title, Interest And Estate Of The State Of South Carolina In a Lot Of Marshland Lying North Of S. C. Highway No. 170 In Beaufort County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Certain marshlands granted to Beaufort County.—There is hereby granted unto Beaufort County all right, title, interest and estate now vested in the State of South Carolina, of, in and to that portion of the marshland lying adjacent to S. C. Highway No. 170 and Broad River, measuring 600 feet and 275 feet on the respective side lines as shown on a plat made by B. P. Barber & Associates, Engineers, dated February 3, 1965, and recorded in Deed Book . . ., page . . ., in the office of the Clerk of Court for Beaufort County, South Carolina. Upon the approval of this act, all right, title, interest and estate of the State of South Carolina, of, in and to the area above described, shall vest in Beaufort County, its successors and assigns, in fee simple, and the interests herein conveyed shall be subject to the absolute control of the governing body of Beaufort County.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of April, 1965.

(R285, S225) **No. 521**

An Act To Amend Act 1042 Of 1962, As Amended, Relating To The Fripp Island Public Service District, So As To Authorize The District To Increase The Amount For Which General Obligation Bonds May Be Issued, Confirm The Permission To Dispose Of Such Bonds At Private Sale And To Authorize Payment Of Costs And Legal Fees Incurred In The Disposition.

Whereas, the General Assembly finds that by Act 1042 of 1962, as amended, Fripp Island Public Service District (therein erroneously called Fripps Island Public Service District) was created and the Fripp Island Public Service District Commission (therein erroneously

called Fripps Island Public Service District Commission), on behalf of the District, was authorized to issue two hundred sixty thousand dollars of General Obligation Bonds for the purposes specified in the act and pursuant to such legislative authorization the Commission did provide for the issuance ot two hundred sixty thousand dollars of General Obligation Bonds and they were offered for public sale on Tuesday, March 16, 1964, after advertisement; and

Whereas, no bids were received for the bonds at the public sale and the Commission is authorized by the act to negotiate privately for the sale of the bonds; and

Whereas, it now appears that the bonds will be disposed of at a private sale at a discount, and interest for two years must be capitalized, and for that reason and in order to defray costs incidental to the issuance of the bonds, the amount of the bond issue must be increased to two hundred and eighty thousand dollars. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 4 of Act 1042 of 1962 amended—bonds may be issued.—The first paragraph of Section 4 of Act 1042 of 1962 is amended on line four by striking "two hundred" and inserting "two hundred and eighty". The paragraph when amended shall read as follows:

"As one method of raising money to acquire and to enlarge and improve the waterworks system required for the district, the commission, on behalf of the district, shall be empowered to issue not exceeding two hundred and eighty thousand dollars of General Obligation Bonds of the district, whose proceeds shall be used for said purposes, including the payment of such interest on the bonds as may be capitalized. All or any General Obligation Bonds issued pursuant to this paragraph may be additionally secured by a pledge of the net revenues to be derived from the operation of the waterworks system to such extent as the commission shall determine to pledge the same, it being specifically recognized that the commission may thereafter wish to provide for further obligations of the district, secured by a pledge on a parity with the pledge herein required. The words 'net revenues' as used in this paragraph shall mean that sum remaining from the aggregate of all moneys realized by the district from rates and charges imposed and collected for water service after paying the cost of operation and maintenance of the waterworks system. If pursuant to this paragraph, General Obligation Bonds are issued:".

SECTION 2. Act 1042 of 1962 amended—sections added—payment of costs—private sale confirmed.—Act 1042 of 1962, as amended, is further amended by adding at the end thereof the following two sections to read as follows:

"Section ... The commission may pay, out of the proceeds of the sale, all costs incidental to the issuance of the bonds, including legal fees, and may capitalize interest on the bonds for two years.

"Section ... The public sale required by this act having been held, the right of the commission to dispose of the two hundred and eighty thousand dollars of general obligation bonds provided for herein at a private sale is hereby expressly confirmed."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1965.

(R291, H1487)

No. 522

An Act To Amend Act No. 1042 Of 1962, As Amended, Relating To The Fripp Island Public Service District, So As To Permit Front Foot Assessments Against Property Abutting Water Distribution Laterals And To Further Enlarge The Powers Of The District.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Paragraph (e), Section 4 of Act 1042 of 1962 amended—payment.—Paragraph (e) of Section 4 of Act No. 1042 of 1962, is amended by adding at the end thereof the following: "If pursuant to the authorizations of this act, as amended, front foot assessments shall be imposed upon properties abutting water distribution mains or water lines making water available to such lots with the proceeds of bonds issued pursuant to this act, then in such instances, the proceeds derived from such assessments shall be paid into the sinking fund created pursuant to this paragraph and shall be applied solely to the payment of principal and interest of bonds issued pursuant to this act. To the extent that moneys from this source shall be available, then in such instances, the tax levy ordered by this section shall be reduced or omitted. *Provided,* that the county treasurer shall, in his discretion, be empowered to appoint any banking institution in

South Carolina maintaining offices in Beaufort or Charleston Counties, and having an established trust department, as corporate trustee of funds derived from front foot assessments. In such instance, it shall be the duty of such corporate trustee to keep the same invested and reinvested in obligations of the United States or any agency thereof, or obligations guaranteed by the United States or any agency thereof, having maturities of not longer than five years from the occasion of any such investment. It shall be the duty of the corporate trustee, at the direction of the county treasurer, to make all or any part of the proceeds in its hands available for the payment of principal and interest on the bonds, in accordance with the directives, from time to time, issued by the county treasurer." The paragraph when amended shall read as follows:

"(e) There shall be irrevocably pledged for the payment of the bonds and interest thereon, as the same mature, the full faith, credit and resources of the district, and the Auditor and Treasurer of Beaufort County, respectively, are hereby authorized and directed to levy and collect annually a tax upon all taxable property within the district sufficient to pay the bonds and interest thereon as they respectively mature, and to create such sinking fund as may be necessary for the redemption of the bonds and interest at their respective maturities. The bonds may be additionally secured by such pledge of the net revenues which the district may derive from the operation of the waterworks system as the commission shall provide. In such event, such net revenues as shall be available shall be delivered to the Treasurer of Beaufort County prior to the occasion when the Auditor fixes the annual levy. The annual ad valorem tax herein directed to be levied may be reduced in each year by the amount of net revenues as aforesaid actually in the hands of the Treasurer of Beaufort County at the time the tax for such year is required to be levied, and the tax may be entirely suspended for any year in case such moneys on hand, applicable as aforesaid, are sufficient to pay both principal and interest then due or falling due in such year and remaining unpaid. If pursuant to the authorizations of this act, as amended, front foot assessments shall be imposed upon properties abutting water distribution mains or water lines making water available to such lots with the proceeds of bonds issued pursuant to this act, then in such instances, the proceeds derived from such assessments shall be paid into the sinking fund created pursuant to this paragraph and shall be applied solely to the payment of principal and interest of bonds issued pur-

suant to this act. To the extent that moneys from this source shall be available, then in such instances, the tax levy ordered by this section shall be reduced or omitted. *Provided,* that the county treasurer shall, in his discretion, be empowered to appoint any banking institution in South Carolina maintaining offices in Beaufort or Charleston Counties, and having an established trust department, as corporate trustee of funds derived from front foot assessments. In such instance, it shall be the duty of such corporate trustee to keep the same invested and reinvested in obligations of the United States or any agency thereof, or obligations guaranteed by the United States or any agency thereof, having maturities of not longer than five years from the occasion of any such investment. It shall be the duty of the corporate trustee, at the direction of the county treasurer, to make all or any part of the proceeds in its hands available for the payment of principal and interest on the bonds, in accordance with the directives, from time to time, issued by the county treasurer."

SECTION 2. Act 1042 of 1962 amended—Section 4A added—additional powers.—Act No. 1042 of 1962, as amended, is further amended by adding thereto the following to be known as Section 4A.

"Section 4A. (1) In addition to all powers now existing, the commission is hereby empowered to provide by resolution that the actual cost of the establishment and construction of any lateral water distribution lines constructed by the commission within the district and any extensions thereof, or so much of the actual cost thereof as the commission in its discretion deems appropriate, shall be assessed upon the lots and parcels of land abutting directly on such lateral lines or extensions thereof, according to the extent of the respective frontage thereon, by an equal rate per foot of such frontage, and may in its discretion in the case of corner lots, for an assessment only upon one of the two corner lines. The commission may provide in such resolution that the front foot assessments to be levied in connection with such work may be paid in equal installments covering a period of not exceeding ten years. The resolution providing for such front foot assessments shall designate by a general description the improvements to be made and the street or streets or parts thereof whereon the work is to be effected and the estimated cost thereof and the amount of the cost to be assessed upon all abutting property and the terms and manner of payment. Such resolution shall not become effective until at least seven days after it shall have been published in a newspaper

of general circulation in the district published in Beaufort County. Such resolution may incorporate by reference plats and engineering reports and other data on file in the commission's office provided that the place of filing and reasonable hours for inspection by interested persons are specified in the resolution.

(2) Upon the completion of the construction of any such water laterals or any extensions thereof, the commission shall compute and ascertain the total cost thereof and shall thereupon make an assessment of such total cost or so much thereof as it deems appropriate. For that purpose the commission shall make out an assessment roll in which must be entered the names of the persons assessed and the amount assessed against their respective properties with a brief description of the lots or parcels of land assessed.

(3) Immediately after such assessment roll has been completed the commission shall forthwith cause one copy thereof to be deposited in the commission's office for inspection by interested parties, and shall cause to be published at least once in a newspaper of general circulation within the district a notice of completion of the assessment roll setting forth a description in general terms of the improvement and the time fixed for the meeting of the commission for a hearing of objections in respect to the front foot assessments; such meeting not to be earlier than ten days from the date of the publication of such notice.

(4) As soon as practicable after the completion of the assessment roll and prior to the publication of the notice above mentioned in paragraph (3), the commission shall mail to the owner or owners of each lot or parcel of land against which a front foot assessment is to be levied, at his or their address appearing in the records of the county treasurer, a notice stating the nature of the improvement, the total cost thereof, the amount to be assessed against that particular property and the frontage in feet upon which the front foot assessment is based, together with the terms and conditions upon which the front foot assessment may be paid. This notice shall also contain a brief description of the particular property involved together with a statement that the amount assessed shall constitute a lien against the said property superior to all other liens except property taxes. The notice shall also state the time and place fixed for the meeting of the commission above mentioned for a hearing of objections in respect of the front foot assessments. Any property owner who fails, not later than three days prior to the date set for such meeting, to file with the com-

mission a written objection to the front foot assessment against his property shall be deemed to have waived all rights to object to such front foot assessment; and the notice prescribed herein shall so state.

(5) At the time and place specified for the meeting above mentioned, or at some other time to which it may adjourn, the commission shall hear the objections of all persons who have filed written notice of objection within the time prescribed above who may appear and make proof in relation thereto, either in person or by their attorney. The commission may thereupon make such corrections in the assessment roll as it may deem proper or may confirm the same, or may set it aside and provide for a new assessment. Whenever the commission shall confirm an assessment roll, either as originally prepared or as thereafter corrected, a copy thereof certified by the secretary of the commission shall forthwith be filed in the office of the Clerk of Court of Common Pleas of Beaufort County and from the time of such filing the front foot assessments impressed in the assessment roll shall constitute and be a lien on the real property against which the same are assessed superior to all other liens and encumbrances except only the lien for property taxes.

(6) After the assessment roll has been confirmed, a certified copy thereof shall be delivered to the Treasurer of Beaufort County who shall proceed to collect the same in the manner of county taxes and shall remit such collections upon the direction of the commission. Past due front foot assessments shall be turned over by the treasurer to the Beaufort County Sheriff who shall proceed to collect the same in the same manner as unpaid county taxes are collected.

(7) Immediately upon the confirmation of an assessment the commission shall give written notice to all persons who have filed written objections as hereinabove provided of the amount of the front foot assessment finally confirmed against his property. If any such person is dissatisfied with the amount of the front foot assessment so confirmed and shall within ten days after such confirmation give written notice to the commission of his intent to do so, he may appeal from his front foot assessment to the Beaufort County Court of Common Pleas and shall within five days after giving such notice serve upon the commission a statement of facts upon which he bases his appeal; but no such appeal shall delay or stop the improvements or affect the validity of the front foot assessments confirmed and not appealed. The appeal shall be tried at the next term of court as other actions at law with priority over all other cases.

(8) The commission may correct, cancel or remit any such front foot assessment and may remit, cancel or adjust the interest or penalties of any such front foot assessment and is empowered when in its judgment there is any irregularity, omission, error or lack of jurisdiction in any of the proceedings relating thereto set aside the whole of any assessment made by it and thereupon to make a reassessment.

(9) In the event the commission provides that such front foot assessments may be paid in equal annual installments, then in that event any property owner shall have the option and privilege of paying his respective front foot assessment in full in cash, provided he gives notice of his intent to do so in writing to the commission within thirty days after the notice prescribed in paragraph (4) supra. If no such notice of intent is given within the said thirty day period, the front foot assessment shall be deemed to be due and payable in the equal annual installments prescribed by the commission and shall bear interest at the rate of four per cent from the date of the confirmation of the assessment roll, payable with such annual installment. Any property owner shall have the right at any time, in his option, to prepay in full the front foot assessment against his property by the payment of the balance due plus interest calculated to the date of prepayment. If any property owner shall fail or neglect to pay any installment when the same becomes due and payable, then and in that event the commission may, at its option, declare all of the installments remaining unpaid at once due and payable and such property shall be sold by the Sheriff of Beaufort County in the same manner and with the same right of redemption as are prescribed by law for the sale of land for unpaid county taxes.

(10) If hereafter the General Assembly shall, through enactment of a general law, make available to the district the power to impose front foot assessments against property abutting upon sewer laterals to provide for the cost of such installations and in such act shall prescribe the procedure by which the district can or may act, then under such circumstances the commission shall proceed under the authorizations of the general law to impose front foot assessments rather than through the means of the powers set forth in this section."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of Aprll, 1965.

(R541, S259)

No. 523

An Act To Authorize The Board Of Directors Of Beaufort County To Issue And Sell Not Exceeding Four Hundred Five Thousand Dollars Of General Obligation Bonds Of The County To Provide Funds For Capital Expenditures; To Prescribe The Conditions Under Which The Bonds Shall Be Issued; And To Make Provision For The Payment.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that there is an immediate need for capital expenditures by Beaufort County for the following purposes: to construct a branch of the University of South Carolina and to improve and/or enlarge the County Court House, the County Health Center, the County Hospital, the County Health Clinic, the Beaufort Arsenal, and the National Guard Armory all at a cost of not exceeding four hundred five thousand dollars.

The General Assembly has, therefore, determined to empower the Board of Directors of Beaufort County (the Board) as constituted by Section 14-1001 of the Code of Laws of South Carolina, 1962, to issue general obligation bonds of Beaufort County to the extent herein provided in order to provide the funds which, with other available Federal monies, will defray the cost of the capital improvements above referred to.

SECTION 2. Bond issue authorized.—In order to provide funds to be expended for the purposes mentioned in Section 1 of this act, the Board is hereby authorized and empowered to issue and sell general obligation bonds of Beaufort County in an aggregate principal amount of not exceeding four hundred five thousand dollars.

SECTION 3. Issues.—The bonds authorized by this act may be issued as a single issue, or from time to time as several separate issues.

SECTION 4. Denominations and maturity.—The bonds shall be in such denominations and shall mature in such annual series or installments as the Board shall provide for, except that the last maturing bonds shall mature not later than twenty years from the date as of which the bonds shall be issued.

SECTION 5. Redemption.—The bonds issued pursuant to this act may be issued with a provision for their redemption prior to their

stated maturities at par and accrued interest, plus such redemption premium as may be prescribed by the Board, but no bond shall be redeemable before maturity unless it contains a statement to that effect. If bonds are made subject to redemption, provision shall be made in the proceedings authorizing the issuance of the bonds specifying the manner of call and the notice thereof that must be given.

SECTION 6. Form.—The bonds shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Beaufort County, upon such conditions as the Board may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

SECTION 7. Where payable.—The bonds issued pursuant to this act shall be made payable at such place, within or without the State, as the Board shall provide.

SECTION 8. Interest.—Bonds issued pursuant to this act shall bear interest at rates determined by the Board.

SECTION 9. Execution.—The bonds, and the coupons to be thereunto attached, shall be executed in such manner as the Board shall by resolution provide.

SECTION 10. Sale.—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. The published notice shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 11. Payment.—For the payment of the principal and interest of all bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of Beaufort County shall be irrevocably pledged, and there shall be levied annually by the Auditor of Beaufort County and collected by the Treasurer of Beaufort County in the same manner as county taxes are levied and collected, a tax without limit on all taxable property in Beaufort County, sufficient to pay the principal and interest of such bonds as they respectively mature, and to create such sinking fund as may be necessary therefor.

SECTION 12. Exempt from taxes.—The principal and interest of any bonds issued pursuant to this act shall have the tax exempt status prescribed by Section 65-4.1 of the 1962 Code.

SECTION 13. Proceeds.—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of Beaufort County and shall be deposited in a bond account fund, and shall be expended and made use of as follows:

(a) Any accrued interest shall be applied to the payment of the first installment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first installment of principal of such bonds.

(c) The remaining proceeds shall be expended, on the warrant of the Board, to defray the cost of issuing the bonds authorized hereby and utilized for the purposes set forth in Section 1 as follows:

(1) not to exceed one hundred sixty thousand dollars to construct a branch of the University of South Carolina;

(2) not to exceed sixty-five thousand dollars to improve and enlarge the County Court House;

(3) not to exceed fifty thousand dollars to improve and enlarge the County Health Center;

(4) not to exceed fifty thousand dollars to improve and enlarge the County Hospital;

(5) not to exceed thirty-five thousand dollars to improve and enlarge the Beaufort Arsenal;

(6) not to exceed five thousand dollars to improve and enlarge the County Health Clinic; and

(7) not to exceed fifteen thousand dollars to improve the National Guard Armory.

(d) If any balance remain it shall be held by the Treasurer of Beaufort County in a special fund and used to effect the retirement of bonds authorized hereby; *provided,* that the purchaser of the bonds herein authorized shall be in no way responsible for the proper application of the proceeds.

SECTION 14. Powers to be additional.—The powers and authorizations hereby conferred upon the Board shall be in addition to all other powers and authorizations previously vested therein, and may be exercised by the Board at any regular or special meeting through the adoption of a resolution or resolutions to take effect immediately upon their adoption.

SECTION 15. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R609, H1867) **No. 524**

An Act To Authorize The Board Of Directors Of Beaufort County To Sell The Beaufort County Health Center Property.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Beaufort County may sell certain property.—The Board of Directors of Beaufort County is authorized to sell the health center property located on Boundary Street in the City of Beaufort. The consideration shall be deposited to the general fund of the county.

SECTION 2. Execution of deed.—The deed shall be executed by the chairman after an appropriate resolution has been adopted by a majority of the members.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R678, H1750) **No. 525**

An Act To Provide For The Levy Of Taxes For County, School And Other Purposes For The Year 1965-1966, And Direct The Expenditure Thereof, In Beaufort County; To Provide For Borrowing Money Under Certain Circumstances; And To Otherwise Regulate The Fiscal And Financial Affairs Of The County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. A tax of so many mills as are necessary is hereby levied on all taxable property in Beaufort County, for county and school purposes, for the fiscal year beginning July 1, 1965, and ending June 30, 1966, for the amounts and purposes hereinafter mentioned. The millage levy shall not exceed that number of mills, or fractions thereof, actually necessary to raise the sums herein appro-

priated. Such millage shall be determined by the Beaufort County Auditor and Treasurer, subject to the approval of a majority of the Beaufort County Legislative Delegation, including the Senator.

SECTION 2. For the fiscal year commencing July 1, 1965, there is hereby appropriated out of the General Fund, if so much be necessary, the following:

1000	Legislative:	
1002	Salary of Secretary	$ 1,000.00
1012	Telephone	750.00
1014	Travel	500.00
1015	Printing and Office Supplies	250.00
1016	Postage	75.00
1049	Unclassified	100.00
	Total	$ 2,675.00
1100	Executive:	
1101	Salaries of Directors	$ 2,100.50
1102	Salary of Executive Secretary	4,800.00
1103	Clerical Salaries	3,016.00
1104	Special Clerical	1,000.00
1112	Telephone	300.00
1113	Rent, Repairs and Service Contracts on Office Equipment	600.00
1114	Travel	600.00
1115	Printing & Office Supplies	600.00
1116	Postage	150.00
1150	Capital Outlays	450.00
	Total	$ 13,616.50
1200	Judicial:	
1201	Salary of Probate Judge	$ 5,250.00
1202	Salaries of Magistrates:	
	Beaufort Township	4,200.00
	St. Helena Township	1,950.00
	Sheldon Township	1,200.00
	Bluffton Township	1,365.00
	Hilton Head Township	1,155.00
	Daufuskie Island	700.00
1204	Constable—Daufuskie Island	330.00
1205	Jurors, Witnesses, etc.,—per diem	11,000.00

1212	Telephone	170.00
1215	Printing & Office Supplies	350.00
1216	Postage	90.00
1241	Lunacies	200.00
	Total	$ 27,960.00
1300	Elections:	
1305	Clerical Salaries	$ 500.00
1315	Printing & Office Supplies	100.00
1316	Postage	100.00
1349	Miscellaneous	300.00
	Total	$ 1,000.00
1400	Treasurer's Office:	
1401	Salary of County Treasurer	$ 3,352.00
1403	Clerical Salaries:	
	Delinquent Tax Clerk	3,780.00
	Clerk I	3,016.00
	Clerk II	3,276.00
1412	Telephone	200.00
1413	Rent, Repairs & Service Contracts on Office Equipment	250.00
1414	Travel	100.00
1415	Printing & Office Supplies	900.00
1416	Postage	1,650.00
1450	Capital Outlay	1,565.00
	Total	$ 18,089.00
1500	Tax Assessment:	
1501	Salary of County Auditor	$ 3,352.00
1502	Salary of Special Tax Assessor	7,500.00
1502.1	Salary of Draftsman—Assistant Assessor	4,500.00
1503	Clerical Salaries:	
	Clerk I for Auditor's office	3,016.00
	Clerk II for Auditor's Office	3,276.00
1512	Telephone	150.00
1513	Rent, Repairs, Service Contracts on Office Equipment	300.00
1514	Travel	1,400.00
1515	Printing & Office Supplies	600.00

1516	Postage	50.00
1550	Capital Outlay	500.00
	Total	$ 24,644.00
1600	Recording of Public Documents:	
1601	Salary of Clerk of Court	$ 8,700.00
1602	Salary of Deputy Clerk of Court	4,000.00
1603	Clerical Salaries	2,860.00
1612	Telephone	270.00
1613	Rent, Repairs & Service Contracts on Office Equipment	500.00
1615	Printing & Office Supplies	4,500.00
1616	Postage	250.00
1650	Capital Outlays	150.00
	Total	$ 21,230.00
1700	General Government Buildings:	
1704	Salaries of Janitors:	
	Courthouse Janitor	$ 2,288.00
	County Office Building Janitor	2,288.00
1711	Heat, Lights & Water	12,000.00
1718	Repairs to Buildings	4,000.00
1722	Cleaning & Sanitation	1,200.00
1727	Other Operating Supplies	400.00
1731	Insurance on Buildings	3,500.00
1750	Capital Outlays	1,085.00
	Total	$ 26,761.00
1800	Beaufort County Development Commission:	
1802	Salary of Executive Secretary	$ 3,276.00
1805	Per diem of Board members	1,500.00
1806	Professional & Engineering Fees	2,000.00
1812	Telephone	500.00
1813	Rent, Repairs & Service Contracts on Office Equipment	100.00
1814	Travel	2,000.00
1815	Printing & Office Supplies	300.00
1816	Postage	150.00

1841	Advertising, promotion & publications	5,000.00
1849	Unclassified	300.00
	Total	$ 15,126.00
1900	Professional Services:	
1905	Independent Audit	$ 6,000.00
1906	Legal Services	300.00
	Total	$ 6,300.00
2000	Sheriff's Department:	
2001	Salary of Sheriff	$ 8,700.00
2002	Salaries of Deputy Sheriffs:	
	Chief Deputy	5,670.00
	Sergeant	5,355.00
	7 Deputy Sheriffs	34,229.00
	Night Deputy	3,728.00
2003	Clerical Salaries	3,016.00
2004	Salaries of Special Deputies	450.00
2012	Telephone	400.00
2013	Rent, Repairs & Service Contracts on Office Equipment	100.00
2015	Printing & Office Supplies	350.00
2016	Postage	100.00
2019	Repairs to Vehicles & Other Equipment	4,000.00
2021	Fuels & Lubricants	5,655.00
2024	Uniforms	2,000.00
2027	Other Operating Supplies	800.00
2034	Insurance	500.00
2049	Education	500.00
	Provided, that out of this item shall be paid only the cost of tuition, transportation and per diem of $10.00 per day while attending any school or course outside Beaufort County.	
	Total	$ 75,553.00
2100	Jail:	
2101	Salary of Jailor	$ 2,883.00
2106	Medical Services	200.00
2112	Telephone	80.00
2115	Printing & Office Supplies	30.00

2119	Repairs to Machinery & Equipment	100.00
2122	Household & Cleaning Supplies	1,000.00
2123	Medical Supplies	300.00
2124	Clothing & Uniforms	850.00
2127	Other Operating Supplies	740.00
2141	Prisoner Subsistence	11,500.00
2150	Capital Outlay	535.60
	Total	$ 18,218.60
2300	Coroner:	
2301	Salary of Coroner	$ 1,456.00
2305	Juror's Fees	250.00
2306	Medical & Burial Services	800.00
2314	Expense Allowance, Coroner	1,000.00
2315	Office supplies and printing	100.00
2341	Post Mortems	300.00
2350	Capital Outlays	200.00
	Total	$ 4,106.00
2400	Miscellaneous Public Safety:	
2412	Telephones—Lady's Island Fire Tower, S. C. Highway Patrol, S. C. Probation & Parole Board & Lady's Island Airport	900.00
	Provided, that phone service shall be at base rate, not to include any long distance calls.	
	Total	$ 900.00
3000	Highways, Bridges, Landings, Docks and Drainage:	
3001	Salary of County Supervisor	$ 6,825.00
3004	Other Wages	80,000.00
3006	Engineering Fees	1,500.00
3012	Telephone	500.00
3019	Repairs to Vehicles & Departmental Equipment	14,000.00
3021	Fuels & Lubricants	8,500.00
3027	Other Operating Supplies	20,000.00
3034	Insurance	1,800.00
3050	Capital Outlays	18,000.00
3051	Rights of Way & Borrow Pits	500.00
	Provided, that out of the funds above appro-	

priated the sum of not less than $10,000.00 shall be used for drainage in Beaufort County.

	Total	$151,625.00
4000	Health Unit	
4002	Salaries of Nurses, Sanitary Inspectors and Clerks	$ 12,898.00
4004	Janitors Salaries	360.00
4006	Health Officer I	8,660.00
4014	Travel	6,540.00
4027	X-Ray, Medical and other clinical supplies	4,002.00
	Total	$ 32,460.00
4100	Miscellaneous Health:	
4141	Mosquito Control	$ 5,000.00
	Provided, this amount shall be in addition to any funds received from any agency of the State or Federal Government.	
	Total	$ 5,000.00
4200	Mental Health Clinic:	
4201	Coastal Empire Mental Health Clinic—for operation	$ 10,500.00
	Total	$ 10,500.00
5000	Department of Public Welfare:	
5001	Salary Supplement of Director	$ 1,500.00
5002	Salary Supplements	2,800.00
5012	Telephone	240.00
5014	Travel	600.00
5041	Emergency & Administrative Funds	1,560.00
5042	Foster Care Fund	300.00
	Total	$ 7,000.00
5100	Miscellaneous Public Welfare:	
5114	Expense allowance—County Service Officer	$ 1,200.00
	Total	$ 1,200.00
6000	Farm & Home Demonstration, White:	
6001	Salary of County Agent	$ 300.00
6002	Salary of Home Demonstration Agent	300.00

6003	Clerical Assistance	420.00
6012	Telephone	360.00
6041	Contingent Fund, County Agent	100.00
6042	Contingent Fund, Demonstration Agent	135.00
6043	4-H Camp	200.00
6048	Office Rent	1,341.90
	Total	$ 3,156.90
6100	Farm & Home Demonstration, Colored:	
6101	Salary of County Agent	$ 748.68
6102	Salary of Home Demonstration Agent	740.00
6103	Clerical Assistance	2,000.00
6112	Telephone	150.00
6127	Demonstration Supplies	100.00
6143	4-H Camps	200.00
6148	Office Rent	590.00
	Total	$ 4,528.68
7000	Grants & Contributions:	
7100	National Guard Unit	$ 500.00
7200	Beaufort County Civil Defense	4,490.00
7300	Beaufort County Chamber of Commerce	7,390.00
7400	Hilton Head Chamber of Commerce	3,700.00
7500	Beaufort Water Festival	1,500.00
7600	Recreation Contributions, Beaufort Township	7,000.00
7700	Kate Gleason Memorial Park, Maintenance	1,000.00
7800	Port Royal Pilot Commission	50.00
7900	Beaufort County Historical Society Museum	500.00
7900.1	Forestry	493.30
7900.2	Operation of ASC Office	360.00
	Total	$ 26,983.30
8000	Personnel Benefits & Other:	
8032	Workmen's Compensation Insurance	$ 3,000.00
8033	Surety Bonds	1,200.00
8034	Insurance—Other	125.00
8035	Social Security (FICA) Taxes	10,684.00
8036	S. C. Retirement System Contributions	11,752.00
8038	State Police Officers' Retirement	5,150.00
	Total	$ 31,911.00

8100	Contingency Funds:	
8142	Board Contingency Fund	$ 4,500.00
	Provided, this fund may be expended by the Beaufort County Board of Directors for contingencies arising under any appropriated item other than to increase salaries.	
8143	Delegation Contingency Fund	4,500.00
	Total	$ 9,000.00
9000	University of South Carolina Extension:	
9004	Salary for Janitor	1,300.00
9011	Heat, Lights & Water	1,400.00
9012	Telephone	400.00
9013	Typewriter Repair Fee	200.00
9018	Building Maintenance	500.00
9027	Office Equipment, Supplies and Classroom Furniture	1,000.00
9028	Teaching aids & Laboratory Supplies	1,000.00
9034	Insurance	300.00
9041	Guarantee to University of South Carolina for Library Fee	3,000.00
9042	Unclassified	300.00
	Total	$ 9,400.00
9100	Beaufort County Library	$ 25,000.00
	Total	$ 25,000.00
9200	Beaufort County Memorial Hospital	$ 25,000.00
	Total	$ 25,000.00
9300	Beaufort County Economic Opportunity Commission	$ 2,500.00
	Total	$ 2,500.00
	GRAND TOTAL	$601,443.98

SECTION 3. All purchases over two hundred dollars shall be made only with a purchase order approved by the county board of directors, or its duly authorized agent, after receipt of bids where practicable.

SECTION 4. The Beaufort County Board of Directors shall enter into an agreement with the South Carolina Aeronautics Commission for the operation and maintenance of the county airports.

SECTION 5. The Beaufort County Board of Directors is authorized to maintain and construct roadside parks and Litter Deposit Stations.

SECTION 6. Before any road shall be accepted by the board of directors for maintenance by the county, deeds of rights of way therein shall be obtained, conveying rights of way, meeting at least the minimum requirements of the S. C. State Highway Department with respect to state secondary highways, and no paved road shall be accepted which does not meet at least the minimum standards set by the S. C. Highway Department for its secondary roads.

Before any drainage ditch or canal is constructed a written easement shall be obtained from the landowner.

SECTION 7. The sheriff's department shall enforce the provisions of Act No. 47 of the Acts of 1955, as amended, and shall work with and assist the special tax assessor and the auditor in accomplishing the purposes of such act, and shall take out warrants and prosecute violations of the act.

SECTION 8. The members of the county board of directors shall be allowed nine cents per mile for actual distance traveled in attendance on meetings of the board and, in addition to such mileage, shall receive actual expenses not exceeding two dollars per day for each day in attendance on meetings of the board. The directors, showing mileage traveled and expenses incurred in attendance, shall file a statement with the clerk of the board of directors.

SECTION 9. The amount of money herein appropriated under Account No. 2100 for Jail Expenses shall include the dieting of prisoners and chain gang; *provided,* further, that the jailor shall diet all prisoners in his care for eighty-five cents per day for each prisoner. The jailor shall, at the end of each month, file with the county board of directors an itemized statement showing the number of prisoners dieted each day during the month, and he shall be reimbursed at the rate above provided. Prisoners from municipalities within Beaufort County may be lodged at a charge of one dollar and fifty cents per diem per prisoner, which total amount shall be credited to the general fund of the county.

SECTION 10. The appropriation for expenses of the Beaufort County Health Unit shall be paid out as directed by the State Health Officer.

SECTION 11. The funds appropriated for Beaufort County Civil Defense shall be expended only after the approval of the budget by a majority of the legislative delegation, including the Senator.

SECTION 12. Building permits may be issued by the auditor, magistrates, or Sheriff of Beaufort County and shall identify the property upon which the construction is proposed to be done in such manner as to enable the special tax assessor to determine the exact location thereof. The person issuing the permit shall assist the tax assessor in locating such property on the county tax maps.

On or before the tenth day of each month, a report of all building permits issued during the preceding month shall be filed with the special tax assessor and salary shall be withheld from any officer failing to comply with this paragraph.

SECTION 13. All monies paid to the Treasurer, Clerk of Court, Sheriff or other public officials of Beaufort County, as interest on the deposit of funds in their custody, shall be accounted for by such officials as public funds are accounted for. The interest received on account of such deposit of funds shall be added to the principal of the fund.

SECTION 14. All claims upon accounts, special expense accounts and expenditures herein authorized to be paid by the county board of directors, the county board of education and all other county agencies, except the salaries of officials as fixed herein and salaries of school teachers, shall first be itemized and verified by the payee and filed in the office of the respective board or agency before being paid by same. All authorized mileage shall be paid at the rate of nine cents per mile.

SECTION 15. To finance the maintenance and operation of the public school system of Beaufort County for the school year 1965-1966, there is hereby appropriated the sum of two million four hundred ninety-three thousand ten dollars and seventy-three cents to be expended for the following purposes in the amounts indicated:

	District No. 1	*District No. 2*	*County Board*	*Total*
Administration	$ 22,002.00	$ 15,530.00	$ 61,756.73	$ 99,288.73
Instruction	1,777,000.00	242,578.00		2,019,578.00
Health	500.00			500.00
Transportation	28,400.00	7,880.00		36,280.00
Operation	123,050.00	30,442.00	1,200.00	154,692.00
Maintenance	89,700.00	17,620.00	1,150.00	108,470.00
Fixed Charges	14,000.00	3,300.00	125.00	17,425.00
Food Services	21,100.00	6,125.00		27,225.00
Adult Education	3,000.00	1,300.00		4,300.00
Capital Outlay	21,568.00	2,000.00	1,684.00	25,252.00
Total Anticipated Expense	$ 2,100,320.00	$326,775.00	$ 65,915.73	$ 2,493,010.73

This appropriation is based upon estimated revenue from county, State and Federal sources, and if such as estimated are not available the opening budget shall be reduced to conform to the revenue. Should any of the estimated revenues be increased, the appropriate item above may be increased proportionately.

All liquor, beer and wine tax, poll tax and dog tax accruing to the county shall be credited to the school fund from which the above appropriation is made, and all State aid to teachers' salaries accruing or paid to the county by the State, and all Federal aid under the Farm Veterans' program, the G. I. Training program, and the School Lunch program, and any other funds which may be available, shall be paid into the fund. There shall also be paid into the fund all other Federal aid accruing or paid to the county for school purposes. The auditor shall levy and the treasurer shall collect 38 mills for school purposes on all taxable property of the county.

The Beaufort County Board of Education is authorized to expend out of funds on hand so much as may be necessary to pave driveways and parking areas at the various schools within the county. Such paving shall be done pursuant to contracts let by the South Carolina State Highway Department.

SECTION 16. Neither the trustees nor the district superintendents of School Districts No. 1 and No. 2 of Beaufort County shall make any purchase or any contract for a purchase, nor shall they make any expenditure whatsoever of funds appropriated for school purposes, except upon the written approval of the county superintendent of education.

SECTION 17. In order to facilitate the preparing of the county appropriations act by the legislative delegation, the county treasurer shall, on or before the first day of April of each year, in writing, report to the legislative delegation the amount of county funds coming into his hands during the preceding calendar year, giving the source of such funds. He shall further report the disbursements made by him during the preceding calendar year, showing the amounts disbursed on vouchers by the board of education, certificates or warrants of the clerk of court, and interest and principal paid on bonds. The county treasurer shall annually, not later than April first of each year, furnish the members of the legislative delegation with a detailed statement of the status of outstanding township and countywide bonds, including school bonds.

The County Board of Education of Beaufort County shall, on or before the first day of April of each year, report to the legislative delegation, in writing, a detailed statement of all revenues allotted for school purposes for the preceding school fiscal year and all disbursements made by it for school purposes for the preceding fiscal year. It shall also furnish to the legislative delegation, on or before the first day of April of each year, an estimate of all anticipated revenues for the present school fiscal year. It shall also furnish to the legislative delegation an estimate of all revenues to be allotted or received for school purposes for the next school fiscal year, and also an estimate of all disbursements for the next school fiscal year.

SECTION 18. All transfers of funds heretofore made by the county treasurer from one account to another, made upon the written request of a majority of the Beaufort County Legislative Delegation, including the Senator, are hereby validated.

SECTION 19. Any motor vehicle confiscated pursuant to law by enforcement officials of Beaufort County and any motor vehicle abandoned on the highways of Beaufort County and unclaimed after the notice provided for by law may be retained by such confiscating authorities for use in law enforcement purposes within the county. Funds derived from the sale of such vehicles shall be paid into the general fund of Beaufort County.

Provided, an inventory of all vehicles and equipment retained by the confiscating authority shall be furnished to the county board of directors semiannually.

SECTION 20. The Beaufort County Board of Directors may rent to any person the road equipment of Beaufort County or may rent or charge for the use of other equipment under the following conditions:

(a) The county equipment must have been engaged in the performance of county work immediately preceding such rental at the site of the job or project for which it is desired to be rented;

(b) The equipment shall be operated by a county employee regularly employed for such purpose, and the rental of such equipment shall be charged for at the rate then prevailing in Beaufort County and the value of the work done shall not exceed fifty dollars.

Provided, that upon the board of director's determination that an emergency need for the equipment exists, the above limitations shall not apply.

Provided, further, that the above limitation shall not apply when rented to the State, any subdivision thereof, or municipality.

SECTION 21. The Treasurer of Beaufort County is hereby authorized, upon approval by a majority of the legislative delegation, including the Senator, to borrow for general county purposes not exceeding one hundred thousand dollars from the Division of General Services. The amount borrowed shall be evidenced by a note or notes to be executed by the Treasurer of Beaufort County. The note or notes shall bear interest at four per cent per annum from the date thereof and shall be payable in five successive, equal, annual installments. The first installment shall be paid twelve months from the date of the note or notes. *Provided,* the borrower reserves the right to anticipate the payment of part or all of the loan on any annual installment date.

For the payment of the note or notes, the Auditor of Beaufort County shall levy, and the treasurer shall collect, an annual tax on all the taxable property of the county sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note or notes, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the county are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

Should there be default in the payment of any installment, the State Treasurer is authorized and directed to withhold all State funds accruing to the county, which have not heretofore been pledged, for the

payment of such installment and shall transmit the funds so withheld to the Division of General Services.

SECTION 22. The treasurer is authorized to borrow one hundred thousand dollars in anticipation of taxes to be used for general county purposes.

SECTION 23. All funds not necessary for current operating expenses shall be deposited or invested as provided in Section 65-2015 of the 1962 Code.

SECTION 24. This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1965.

(R716, H1817)

No. 526

An Act To Make Provision For The Settlement Of The Indebtedness Of Fripp Island Toll Bridge Authority And The Sale Of Its Toll Bridge To The Private Corporation Now Owning And Developing Fripp Island; To Empower The Corporation To Operate The Toll Bridge; And To Provide For The Dissolution Of Fripp Island Toll Bridge Authority, Following The Payment Of All Of Its Indebtedness.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds:

1. Heretofore by Act 174 of 1961 (Act 174) it created Fripp Island Toll Bridge Authority (the authority) and authorized and empowered the authority to construct a toll bridge spanning the inlet between Hunting Island and Fripp Island in Beaufort County. It further empowered the authority to finance the construction of the bridge with the proceeds of bonds payable from the revenues to be derived from the operation of the toll bridge.

2. Acting pursuant to the authorization of Act 174, the authority issued bonds as follows:

(a) Two hundred fifty thousand dollars First Lien Toll Bridge revenue bonds, dated May 1, 1962, bearing interest at the rate of five and one-half per cent per annum, and maturing May 1, 1977 (the first lien bonds).

All of the bonds of this issue were made subject to redemption on all interest payment dates, at par, plus accrued interest to the date fixed for redemption, plus a redemption premium of at least ten per cent of the amount of each bond redeemed.

Interest on the first lien bonds was capitalized from the proceeds of the bonds for the three-year period ending May 1, 1965.

(b) Two hundred ninety thousand dollars Second Lien Toll Bridge Revenue Bonds, dated May 1, 1962, bearing interest at the rate of six per cent per annum, and maturing May 1, 1978 (the second lien bonds).

The first lien bonds were sold to investment bankers and were thereafter distributed among private investors.

The second lien bonds were purchased and are now held by Fripp Island Resort, Incorporated (the company), which corporation is the owner and developer of Fripp Island. No interest on the second lien bonds has ever been paid.

3. In the course of securing its bonds, the authority appointed The First National Bank of South Carolina (in Charleston), now The First Commercial National Bank of South Carolina (the bank) as its fiscal agent and as the paying agent of its bonds, and provided that all moneys to which the authority should become entitled by reason of its ownership or operation of the toll bridge be paid to the bank for application in accordance with the terms and conditions of the proceedings authorizing the issuance of the bonds.

4. The toll bridge was satisfactorily constructed in accordance with specifications and under supervision of the State Highway Department.

5. The entire proceeds of the bonds were applied to the cost of constructing the bridge and to the cost of financing the issuance of the bonds.

6. The toll bridge is situate at the end of State Highway No. S-406 in Beaufort County, a secondary road in the State Highway system. While the island is in the process of development, its development has not been such as to promote sufficient traffic to produce the revenues required to meet the payment of the principal and interest of the first lien bonds and doubt exists as to whether traffic will develop to a degree which would generate the revenues required to meet the payment of the first lien bonds.

7. The authority, mindful of the necessity for providing for the payment of interest on the first lien bonds on November 1, 1965, and the company have been considering the situation and have reached

a tentative agreement on a plan by which, if legislative approval is given, the company would buy the toll bridge from the authority for a sum sufficient to provide for the payment of all indebtedness of the authority, and thereafter operate it as a private toll bridge for a period of forty years and under conditions by which the tolls charged would not exceed those now in effect, and with the option to Beaufort County and any State agency to purchase and acquire the toll bridge under terms and conditions more fully set forth hereafter.

8. On the basis of the foregoing facts the General Assembly has determined to authorize the authority to sell and convey the toll bridge to the company and to further provide that when all indebtedness of the authority has been fully paid, in accordance with the terms and conditions of its bonds, the authority shall be dissolved.

SECTION 2. Authority may sell toll bridge—conditions.—The authority shall be fully empowered to sell its toll bridge and all other properties and property rights, real and personal, acquired by it in the course of constructing the toll bridge, to the company, under the following conditions:

(1) The company shall cause to be deposited with the bank that sum which, together with other moneys of the authority, will be sufficient to provide for the payment of the principal, interest and redemption premium of the first lien bonds.

(2) The company shall agree to fully satisfy the second lien bonds which it now holds.

SECTION 3. Deed of conveyance.—If pursuant to any contract so made the company shall cause to be deposited with the bank the sum required to meet the payment of the first lien bonds and shall fully satisfy the second lien bonds, the authority shall be fully empowered to execute and deliver its deed of conveyance, conveying to the company its toll bridge and all other property, and all property rights of the authority, real and personal.

SECTION 4. Authority dissolved upon execution of deed.—Upon the execution and delivery of the deed of the authority, the authority shall stand dissolved and shall cease to function, and the provisions of Act 174 devolving special functions upon the authority and empowering it to act shall no longer have force and effect.

SECTION 5. Company may operate toll bridge—rates.—Upon the acquisition of the properties of the authority, the company shall

have the right to operate and maintain the toll bridge, unless pursuant to the provisions of Section 8 of this act, the toll bridge shall be acquired by either Beaufort County or the State Highway Department. During such period it shall have the right to charge and collect tolls for passage over the bridge, at rates not to exceed the following, to wit:

(One Way)

Motorcycle, motorbike, bicycles	$ .75
Two axle vehicles, including passenger cars, pickups and panel trucks and single unit four tire and six tire trucks	1.00
Three axle vehicles including single unit trucks, semi-trailer combinations and two axle vehicles drawing single axle trailer	1.50
Four axle vehicles including semi-trailer combination and other two axle vehicles with two-axle trailers	2.00
Five axle vehicles including semi-trailer combination and other special and unusual vehicles	2.50
Buses	3.50
Pedestrians	.25

Notwithstanding the provisions of this section, the company shall at all times permit any public officer acting in the course of official business to make use of the toll bridge without toll or charge.

SECTION 6. Bridge to be kept in good repair.—During the period of its franchise the company, and its successors and assigns, shall be obligated to maintain the bridge and its approaches in good repair and maintenance in accordance with the standards of the State Highway Department, and the personnel of the State Highway Department shall have the right to enter upon and inspect the bridge and its approaches at all times. The company shall maintain sufficient insurance against all hazards to insure replacement or repair in the event of its damage or destruction.

SECTION 7. No other bridge to Fripp Island to be allowed.—During the period of the franchise no public bridge or causeway shall be constructed to Fripp Island and no other contract or franchise shall be granted by the State of South Carolina or Beaufort County for the construction of a bridge or causeway across Fripp Inlet, whether they are operated under an arrangement which would permit the charge of tolls, or whether they are operated free and without charge.

SECTION 8. Acquisition of bridge from company—conditions.—The conveyance to the company and the franchise herein conditionally granted to it shall be subject to the condition that Beaufort County or the State Highway Department may, if suitably authorized by legislation subsequently enacted, acquire from the company or its assigns, the bridge and other properties incident thereto, upon the following terms and conditions:

(1) The purchase price shall be the construction costs and is not to include any penalties, interest or redemption premium less depreciation thereon, at the rate of two and one-half per cent per annum from the effective date of this act.

SECTION 9. Time effective.—This act shall take effect upon approval by the Governor, but the power and authority herein granted to the authority, unless exercised on or before December 31, 1966, shall cease and determine.

Approved the 15th day of June, 1965.

(R326, H1580)

No. 527

An Act To Amend Act No. 957 Of The Acts Of 1960, Relating To The Hanahan Public Service District In Berkeley County, By Further Defining The Boundaries Of The District; By Empowering The District Commission To Regulate The Use Of Sewerage Facilities In The District; And To Provide For Charges, Liens, Hearings, And Court Proceedings.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that it did, by Section 1 of Act No. 957 of the Acts of 1960 (Act 957), define the boundaries of Hanahan Public Service District in Berkeley County (the District) and did grant to Hanahan Public Service District Commission (the Commission) certain powers and functions. It has now been determined that certain property in the District, being a portion of that owned by West Virginia Pulp and Paper Company (West Virginia) and the United States Government, should be excluded from the District for the reason that the same is not compatible to the character of the District inasmuch as it is devoted, or suitable of being devoted, to industrial and other pur-

poses. It has, therefore, determined to redefine the boundaries of the District to the extent hereinafter set forth, so as to eliminate such properties from the District.

It is further noted that while most of the District will have available to it public sewage collection and disposal facilities, there may be areas in the District for which such facilities are not available. It has, therefore, determined that it is necessary, in order to maintain the public health of the District, to empower the Commission to regulate the use of private sewers, cesspools and septic tanks, for which public sewage collection and disposal facilities are not available.

The General Assembly has further determined to confirm the right of the Commission to impose sewer charges (originally provided for in Act 257 of 1945 and Act 898 of 1946) and to provide for hearings in connection therewith.

It proposes to accomplish such purposes by amending Act 957.

SECTION 2. Section 1 of Act 957 of 1960 amended—area.— Section 1 of Act 957 is amended to read as follows:

"Section 1. The boundaries of the Hanahan Public Service District in Berkeley County shall be those set forth on a revised plat drawn by Cummings and McCrady, Architects-Engineers, dated February, 1965, and bearing the legend 'Hanahan Public Service District'. Copies of said plat shall be recorded in the offices of the Clerk of Court, the Auditor, and the Treasurer of Berkeley County. The boundaries of the District, as shown on the plat, are as follows:

> Beginning at the southwestern corner of Berkeley County, said point being on the western right of way line of the A. C. L. Railroad and near the northern edge of the Remount Road, thence in a northerly direction along the western boundary of Berkeley County to the north property line of property of the Commissioners of Public Works (formerly a part of the Nixon tract), thence N. 73° - 28′ - 29″ E to the center line of the channel of Goose Creek to the lands of the Charleston Transportation Depot, thence in a southwesterly direction along the northern property line of the Charleston Transportation Depot to the S. A. L. Railroad, thence in a southerly direction along the eastern right of way of the S. A. L. Railroad to the northern property line of a tract owned by the United States of America and used as a fuel storage area; thence due west for a distance of 1280 feet, more or less to the eastern R/W of North Rhett

Avenue; thence southerly along the eastern R/W of North Rhett Avenue a distance of 3730 feet more or less to the southern boundary of Berkeley County; thence westerly along the southern boundary of Berkeley County to the point of beginning."

SECTION 3. Act 957 of 1960 amended—Sections 7A, 7B and 7C added—regulations—fees—unpaid charges to constitute lien.— Act 957 is amended by adding the following:

"Section 7A. The Commission is expressly empowered to prescribe and enforce regulations (a) requiring all persons to whom it is available to make use of any sewer system which the District shall from time to time operate; and (b) generally with respect to the discharge of sewage and the use of privies, septic tanks and any other type of sewage facilities within the District. Any such regulations shall, however, become effective only after they have been adopted by resolution of the Commission, a certified copy thereof has been recorded in the office of the county clerk of court, a copy posted in the courthouse of the county, and notice of the adoption of such resolution has been published at least once a week for three successive weeks in a newspaper having general circulation in the District. The published notice shall specify in brief the scope of the regulations and shall state the date on which the same shall become effective. Prior to the adoption of the resolution, the Commission shall give public notice of a meeting to be held to consider its adoption and the notice shall appear in a newspaper having general circulation in the District at least once not less than seven days prior to the occasion fixed for the holding of such meeting. Any person affected may attend such meeting and express his views on the proposed regulations.

Section 7B. The Commission is expressly empowered to impose such schedule of fees, rates and charges for sewer connection and for sewage disposal service as the Commission shall from time to time approve. To that end the Commission shall be empowered to place into effect, and to revise whenever it so wishes or may be so required, a schedule of fees, rates and charges for the sewage disposal facilities made available by it to persons, firms or corporations within the District. Prior to the furnishing of any sewage disposal service for which the prescribed fee, rate or charge shall, pursuant to Section 7C of this act, become a lien on the property affected, and

prior to any subsequent increase in any such fee, rate, or charge, not less than ten days' written notice shall be given to each affected property owner, notifying him of the nature and quantum of the charge, and providing such property owner an opportunity, if desired and requested, to appear and be heard in person, or by counsel, before the Commission. Following such hearing, if such be requested and held, action shall be taken by the Commission, and notice of its decision shall be given to the property owner concerned, or his counsel, as the case may be, not less than ten days prior to the effective date of the fee, rate or charge. Any property owner aggrieved by the action of the Commission may proceed by certiorari in the Court of Common Pleas for Berkeley County to have such court review the action taken by the Commission, at which time the court shall determine the validity and reasonableness of the charge so made.

Section 7C. If the notice or notices prescribed by Section 7B shall have been given and any hearing requested pursuant thereto shall have been held, all tapping fees, service charges, and other charges duly imposed by the Commission under authority of this act and not paid when due and payable, shall be and constitute a lien upon the real estate to which the sewage service concerned relates, so long as the fees or charges remain unpaid, and prior to all liens except the lien for property taxes. In addition to such other rights and remedies as may be available to the Commission in law or equity for collection of the fees and charges, the lien may be enforced by the Commission in the same manner and fashion as the lien of property taxes upon real estate."

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of April, 1965.

(R327, H1581)

No. 528

An Act To Amend Act No. 1163 Of 1964, Relating To The Hanahan Public Service District In Berkeley County And The Issuance Of General Obligation Bonds By It, So As To Increase The Amount Of Such Bonds, And To Enlarge The Powers Of The District So As To Permit Front Foot Assessments Against Property Abutting Sewer Lateral Lines.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that acting pursuant to Act No. 1163 of 1964, by which Hanahan Public Service District in Berkeley County (the District) was empowered to issue general obligation bonds to the extent of not exceeding eight hundred thousand dollars for the purpose of constructing a system for the collection, treatment and disposal of sewage and other waste and to renovate and improve its waterworks system, Hanahan Public Service District Commission (the Commission) set about to construct an extensive sewer system and to make minor improvements to its waterworks system. It now develops that the cost of the project will exceed the eight hundred thousand dollars estimated by Act No. 1163 and that the cost will amount to approximately one million two hundred thousand dollars. Construction is now under way and it becomes necessary to provide a means by which the District may raise one million two hundred thousand dollars.

After due consideration the General Assembly has determined that the most appropriate method by which the money may be raised is through increasing the authorization to issue bonds pursuant to Act No. 1163. It, however, has taken note of the fact that it would be equitable that a portion of the cost, if possible, should be met through moneys raised by a front foot assessment imposed upon properties abutting sewer laterals, in view of the fact that the value of such properties will be comparably enhanced through the availability of sewage disposal service.

The General Assembly is also mindful that certain possible legal questions might be thought to exist by reason of two old decisions of the Supreme Court of South Carolina, viz.: the case of *Mauldin* vs. *City Council of Greenville,* 53 S. C. 285, 31 S. E. 252 and *Stehmeyer* vs. *City Council of Charleston,* 53 S. C. 259, 31 S. E. 322. While it is believed that the logic of such rulings has been dissipated by later decisions of the Supreme Court it is nevertheless mindful that there is a possibility that the front foot assessment plan might be held invalid. The General Assembly, therefore, proposes to make available to the Commission the power to impose front foot assessments against properties abutting sewer laterals, and to provide that the Commission shall, if possible, undertake to impose such front foot assessments, and to make all proceeds of such assessments available for debt service of the one million two hundred thousand dollars of bonds, but it does not intend that the imposition of front foot as-

sessments shall be a condition precedent to the issuance of bonds, to the extent of one million two hundred thousand dollars, pursuant to Act No. 1163, as amended. Accordingly, through the means of this act it intends to (a) enlarge the bond authorization granted to the Commission by Act No. 1163 of 1964, and (b) enlarge the powers of the District so that it may levy front foot assessments.

SECTION 2. Section 2 of Act 1163 of 1964 amended—bond issue authorized.—Section 2 of Act No. 1163 of 1964 is amended to read as follows:

"Section 2. In order to raise the sum required therefor, the Commission is empowered to issue not exceeding one million two hundred thousand dollars of general obligation bonds of the District, whose proceeds shall be used to construct a system for the collection, treatment and disposal of sewage and other waste and to renovate and improve the existing waterworks system of the District and, to the extent required, to the payment of such interest on the bonds as may be capitalized."

SECTION 3. Section 7 of Act 1163 of 1964 amended—payment.—Section 7 of Act No. 1163 of 1964 is amended by adding at the end thereof the following:

"*Provided,* that if pursuant to the authorizations of this act, as amended, front foot assessments shall be imposed upon properties abutting sewer laterals, then in such instances, the proceeds derived from such assessments shall be paid into the sinking fund created pursuant to this section and shall be applied solely to the payment of principal and interest of bonds issued pursuant to this act. To the extent that moneys from this source shall be available, then in such instances, the tax levy ordered by this section shall be reduced or omitted.

Likewise, if pursuant to any other authorization sewer service charges shall be imposed, then in such instance, such portion thereof not required for operation and maintenance shall be paid into the sinking fund created pursuant to this section and shall be applied solely to the payment of principal and interest of bonds issued pursuant to this act. To the extent that moneys from this source shall be available, then in such instances, the tax levy ordered by this section shall be reduced or omitted.

Provided, further, that the county treasurer shall, in his discretion, be empowered to appoint any banking institution in South Carolina

maintaining offices in Berkeley or Charleston Counties, and having an established trust department, as corporate trustee of funds derived from front foot assessments and the surplus derived from sewer service charges. In such instance, it shall be the duty of such corporate trustee to keep the same invested and reinvested in obligations of the United States or any agency thereof, or obligations guaranteed by the United States or any agency thereof, having maturities of not longer than five years from the occasion of any such investment. It shall be the duty of the corporate trustee, at the direction of the county treasurer, to make all or any part of the proceeds in its hands available for the payment of principal and interest on the bonds, in accordance with the directives, from time to time, issued by the county treasurer."

SECTION 4. Act 1163 of 1964 amended—Section 9A added—front foot assessments.—Act No. 1163 of 1964 is further amended by adding the following:

"Section 9A. (1) In addition to all powers now existing, the Commission is hereby empowered to provide by resolution that the actual cost of the establishment and construction of any lateral collection sewer lines constructed by the Commission within the District and any extensions thereof, or so much of the actual cost thereof as the Commission in its discretion deems appropriate, shall be assessed upon the lots and parcels of land abutting directly on such lateral lines or extensions thereof, according to the extent of the respective frontage thereon, by an equal rate per foot of such frontage, and may in its discretion provide in the case of corner lots, for an assessment only upon one of the two corner lines. The Commission may provide in such resolution that the front foot assessments to be levied in connection with such work may be paid in entirety or in equal installments covering a period of not exceeding ten years. The resolution providing for such front foot assessments shall designate by a general description the improvement to be made and the street or streets or parts thereof whereon the work is to be effected and the estimated cost thereof and the amount of the cost to be assessed upon all abutting property and the terms and manner of payment. Such resolution shall not become effective until at least seven days after it shall have been published in a newspaper of general circulation in the District. Such resolution may incorporate by reference plats and engineering reports and other data on file in the Com-

mission's office provided that the place of filing and reasonable hours for inspection by interested persons are specified in the resolution.

(2) Upon the completion of the construction of any such sewer laterals or any extensions thereof, the Commission shall compute and ascertain the total cost thereof and shall thereupon make an assessment of such total cost or so much thereof as it deems appropriate. For that purpose the Commission shall make out an assessment roll in which must be entered the names of the persons assessed and the amount assessed against their respective properties with a brief description of the lots or parcels of land assessed.

(3) Immediately after such assessment roll has been completed the Commission shall forthwith cause one copy thereof to be deposited in the Commission's office for inspection by interested parties, and shall cause to be published at least once in a newspaper of general circulation within the District a notice of completion of the assessment roll setting forth a description in general terms of the improvement and the time fixed for the meeting of the Commission for a hearing of objections in respect to the front foot assessments; such meeting not to be earlier than ten days from the date of the publication of such notice.

(4) As soon as practicable after the completion of the assessment roll and prior to the publication of the notice above mentioned in paragraph (3), the Commission shall mail to the owner or owners of each lot or parcel of land against which a front foot assessment is to be levied, at his or their address appearing in the records of the county treasurer, a notice stating the nature of the improvement, total cost thereof, the amount to be assessed against that particular property and the frontage in feet upon which the front foot assessment is based, together with the terms and conditions upon which the front foot assessment may be paid. This notice shall also contain a brief description of the particular property involved together with a statement that the amount assessed shall constitute a lien against the said property superior to all other liens except property taxes. The notice shall also state the time and place fixed for the meeting of the Commission above mentioned for a hearing of objections in respect of the front foot assessments. Any property owner who fails, not later than three days prior to the date set for such meeting, to file with the Commission a written objection to the front foot assessment against his property shall be deemed to have waived all rights to object to such front foot assessment; and the notice prescribed herein shall so state.

(5) At the time and place specified for the meeting above mentioned, or at some other time to which it may adjourn, the Commission shall hear the objections of all persons who have filed written notice of objection within the time prescribed above who may appear and make proof in relation thereto, either in person or by their attorney. The Commission may thereupon make such corrections in the assessment roll as it may deem proper or may confirm the same, or may set it aside and provide for a new assessment. Whenever the Commission shall confirm an assessment roll, either as originally prepared or as thereafter corrected, a copy thereof certified by the secretary of the Commission shall forthwith be filed in the office of the clerk of court of the county and from the time of such filing the front foot assessments imposed in the assessment roll shall constitute and be a lien on the real property against which the same are assessed superior to all other liens and encumbrances except only the lien for property taxes.

(6) After the assessment roll has been confirmed a certified copy thereof shall be delivered to the county treasurer who shall proceed to collect the same in the manner of county taxes and apply the same in the manner prescribed by Section 7 of Act No. 1163, as amended. Past due front foot assessments shall be turned over by the treasurer to the county sheriff who shall proceed to collect the same in the same manner as unpaid county taxes are collected.

(7) Immediately upon the confirmation of an assessment the Commission shall give written notice to all persons who have filed written objections as hereinabove provided of the amount of the front foot assessment finally confirmed against his property. If any such person is dissatisfied with the amount of the front foot assessment so confirmed and shall within ten days after such confirmation give written notice to the Commission of his intent to do so, he may appeal from his front foot assessment to the Court of Common Pleas of Berkeley County and shall within five days after giving such notice serve upon the Commission a statement of facts upon which he bases his appeal; but no such appeal shall delay or stop the improvements or affect the validity of the front foot assessments confirmed and not appealed. The appeal shall be tried at the next term of court as other actions at law with priority over all other cases.

(8) The Commission may correct, cancel or remit any such front foot assessment and may remit, cancel or adjust the interest or penalties of any such front foot assessment and is empowered when

in its judgment there is any irregularity, omission, error or lack of jurisdiction in any of the proceedings relating thereto to set aside the whole of any assessment made by it and thereupon to make a reassessment.

(9) In the event the Commission provides that such front foot assessments may be paid in equal annual installments, the front foot assessment shall be deemed to be due and payable in the equal annual installments prescribed by the Commission and shall bear interest at the rate of four per cent per annum from the date of the confirmation of the assessment roll, payable with such annual installment. Any property owner shall have the right at any time, in his option, to prepay in full the front foot assessment against his property by the payment of the balance due plus interest calculated to the date of prepayment. If any property owner shall fail or neglect to pay any installment when the same becomes due and payable, then and in that event the Commission may, at its option, declare all of the installments remaining unpaid at once due and payable and such property shall be sold by the county sheriff in the same manner and with the same right of redemption as are prescribed by law for the sale of land for unpaid county taxes.

(10) If the General Assembly shall, through general law, make available to the District the power to impose front foot assessments against property abutting upon sewer laterals to provide for the cost of such installations and shall prescribe the procedure by which the District may act, the Commission shall proceed under the authorizations of the general law to impose front foot assessments."

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of April, 1965.

(R468, H1681)

No. 529

An Act Providing For The Creation Of Watershed Conservation Districts In Berkeley County And The Election Of Directors, Their Powers And Duties; And Providing For A Levy Of Taxes For The Organization And Administration Of The Districts And For The Construction, Operation And Maintenance Of Works Of Improvement Within The Districts.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Definitions.—Whenever used or referred to in this act, unless a different meaning clearly appears from the context:

(1) "Watershed conservation district" means a governmental subdivision of this State, and a public body corporate and politic, organized in accordance with the provisions of this act, for the purposes, with the powers, and subject to the restrictions hereinafter set forth.

(2) "Director" means one of the members of the governing body of a watershed conservation district, elected in accordance with the provisions of this act.

(3) "Supervisor" means one of the members of the governing body of the Berkeley Soil and Water Conservation District in which any part of a watershed conservation district is situated.

(4) "Petition" means a petition filed under the provisions of Section 4 of this act for the creation of a watershed conservation district.

(5) "County" means Berkeley County of South Carolina.

(6) "Landowner" or "owner of land" includes any person, firm or corporation who shall hold legal or equitable title to any lands lying within a watershed conservation district organized under the provisions of this act.

(7) "Due notice" means notice published at least twice, with an interval of at least one week between the two publication dates, in a publication of general circulation within the appropriate area, or, if no such publication of general circulation be available, notice posted at a reasonable number of conspicuous places within the appropriate area, such posting to include, where possible, posting at public places where it is customary to post notices concerning county or municipal affairs generally.

SECTION 2. Watershed Conservation Districts may be formed in Berkeley County.—Authority is hereby granted to form watershed conservation districts within Berkeley County for the purpose of developing and executing plans and programs relating to any phase of the control and prevention of soil erosion, flood prevention, or the conservation, development, utilization and disposal of water.

SECTION 3. Area.—The area embraced in a watershed conservation district must be contiguous and must lie within a well-defined

watershed; and such area shall not include lands located within the boundary of any incorporated city or town, or lands embraced in another watershed conservation district.

SECTION 4. Petition for formation.—When twenty-five or more landowners within a proposed watershed conservation district, or, if less than fifty landowners are involved, a majority of such landowners, desire to form a watershed conservation district, they shall file a petition with the supervisors of the soil and water conservation district asking that a watershed conservation district be organized to function in the area described in the petition. Such petition shall set forth the proposed name of the watershed conservation district; that there is need, in the interest of the public health, safety and welfare, for a watershed conservation district to function in the territory described in the petition; a description of the territory proposed to be organized as a watershed conservation district, which description need not be given by metes and bounds or by legal subdivisions, but shall be deemed sufficient if generally accurate; and the approximate number of acres of land included in the proposed watershed conservation district.

SECTION 5. Hearing on petition.—(1) Within thirty days after such petition has been filed with the supervisors of the soil and water conservation district, they shall cause due notice to be given of a hearing upon the question of the desirability and necessity, in the interest of the public health, safety and welfare, of the creation of such watershed conservation district. All interested parties shall have the right to attend such hearing and to be heard. If it shall appear at the hearing that other lands should be included in the petition or that lands included in the petition should be excluded, the supervisors shall permit such inclusion or exclusion, provided the land area involved still meets the requirements of Section 3 of this act.

(2) If it appears upon the hearing that it may be desirable to include within the proposed watershed conservation district territory outside of the area within which due notice of the hearing has been given, the hearing shall be adjourned and due notice of a further hearing shall be given throughout the entire area considered for inclusion in the proposed watershed conservation district, and such further hearing shall be held. After final hearing, if the supervisors of the soil and water conservation district determine, upon the facts presented at the hearing and upon other available informa-

tion, that there is need, in the interest of the public health, safety and welfare, for a watershed conservation district to function in the territory considered at the hearing, they shall make and record such determination, and shall define the area, but the description need not be given by metes and bounds. The description shall be deemed sufficient if generally accurate and the approximate number of acres of land included in the proposed watershed conservation district is shown.

(3) If the supervisors of the soil and water conservation district determine after such hearing that there is no need for a watershed conservation district to function in the territory considered at the hearing, they shall make and record such determination and shall deny the petition.

SECTION 6. Referendum.—After the supervisors of the soil and water conservation district have made and recorded a determination that there is need, in the interest of the public health, safety and welfare, for a watershed conservation district to function in the territory considered at the hearing, and have defined the boundaries thereof, they shall consider the question of whether the operation of a watershed conservation district within the proposed boundaries with the powers conferred upon it by this act is administratively practicable and feasible. To assist the supervisors in making this determination they shall, within a reasonable time after the entry of a finding that there is need for the organization of a watershed conservation district and the determination of the boundaries thereof, hold a referendum within the proposed watershed conservation district upon the proposition of the creation of the watershed conservation district. Due notice of the referendum shall be given by the supervisors. Such notice shall state the date of holding the referendum, the hours of opening and closing the polls, and shall designate one or more places within the proposed watershed conservation district as polling places and shall give notice that the directors shall have the power of eminent domain. The supervisors shall have full charge of the referendum and shall have suitable ballots printed and furnished to each polling place, appoint necessary box managers and other referendum officials, and shall canvass the referendum and announce the results. The cost of holding the referendum shall be paid from the general fund of Berkeley County. *Provided,* that notwithstanding any provision of law to the contrary, the power of

eminent domain shall not be exercised over the protest of any landowner until it is conclusively established that the land proposed to be condemned is absolutely essential to the creation and operation of the watershed conservation district.

SECTION 7. Question.—The question to be voted on shall be submitted by ballots upon which appear the words:

"For creation of ..... Watershed Conservation District"

"Against creation of ..... Watershed Conservation District"

A square shall follow each proposition. The ballot shall contain a direction to insert an "X" mark in the square following one or the other of the propositions as the voter may favor or oppose creation of the watershed conservation district. The ballot shall set forth the boundaries of the proposed watershed conservation district as determined by the supervisors of the soil and water conservation district. No one except owners of lands lying within the boundaries of the proposed watershed conservation district, as determined by the supervisors of the soil and water conservation district, shall be eligible to vote in the referendum. Qualified voters may vote by absentee ballot in the referendum under such rules and regulations as may be prescribed by the supervisors. No informalities in the conduct of the referendum or in any matters relating thereto shall invalidate the referendum or the result thereof if notice of the referendum shall have been given substantially as herein provided and the referendum shall have been fairly conducted.

SECTION 8. Results—district to be created if results and determination favorable.—The votes shall be counted by the referendum officials at the close of the polls and a report of the results, along with the ballots, shall be delivered and certified to the supervisors of the soil and water conservation district; and thereafter the supervisors shall determine whether the operation of the watershed conservation district within the defined boundaries is administratively practicable and feasible. If the supervisors determine that the operation of such district is not administratively practicable and feasible, they shall record such determination and deny the petition. If the supervisors determine that the operation of such district is administratively practicable and feasible, they shall record such determination and shall proceed with the organization of such district in the manner hereinafter set forth; *provided, however,* that the supervisors shall not have authority to determine that the operation of such

district is administratively practicable and feasible unless at least a majority of the votes cast in the referendum upon the proposition of the creation of such district shall have been cast in favor of the creation of the district. If the supervisors shall determine that the operation of such district is administratively practicable and feasible, they shall certify such determination to the Clerk of Court for Berkeley County and to the Secretary of State. Upon proper recordation of such determination, such watershed conservation district shall constitute a governmental subdivision of this State and a public body corporate and politic. After being recorded, such certification shall be filed with the State Soil and Water Conservation Committee.

SECTION 9. Board of directors to govern district—nominating petitions—election—ballots—terms—officers—bond of treasurer. —(1) The governing body of the watershed conservation district shall consist of five directors, elected as provided herein.

(2) Within thirty days after a watershed conservation district has been created, nominating petitions may be filed with the supervisors of the soil and water conservation district to nominate candidates for directors of the watershed conservation district. No such nominating petition shall be accepted by the supervisors unless it is signed by twenty-five or more landowners within the watershed conservation district, or, if less than fifty landowners are involved, by a majority of such landowners. If the candidates nominated do not exceed the number of directors to be chosen, the supervisors shall declare them to be elected. No person shall be eligible to be a director of a watershed conservation district who is not a landowner in the watershed conservation district in which he seeks election.

(3) If the candidates nominated for directors of the watershed conservation district exceed the number of directors to be chosen, the supervisors of the soil and water conservation district shall, after having given due notice thereof, cause an election to be held within the watershed conservation district within a reasonable time after the expiration of the nominating period. The provisions of Sections 5, 6 and 7 of this act as to notice, qualifications of voters, absentee voting, and the manner of holding the referendum in organizing a watershed conservation district, shall apply insofar as practicable to the election of the directors. The names of all qualified nominees shall be printed in alphabetical order upon ballots with a

square before each name and a direction to insert an "X" mark in the square before any five names to indicate the voter's preference. Only landowners within the watershed conservation district shall be eligible to vote in the election. The five candidates who shall receive the largest number respectively of the votes cast in the election shall be the directors of the watershed conservation district, and shall, under the supervision of the supervisors of the soil and water conservation district, be the governing body of the watershed conservation district.

(4) Of the directors first elected, the two receiving the largest number of votes shall serve for terms of four years, the two receiving the next largest number of votes shall serve for terms of three years, and the one receiving the next largest number of votes shall serve for a term of two years. The term of office of each of their successors shall be for four years, and until their successors are elected and qualify. Vacancies shall be filled by selection by the supervisors for the unexpired portion of the term only.

(5) The directors shall annually designate from among their number a chairman, secretary, and treasurer. The treasurer shall execute an official bond for the faithful performance of the duties of his office, to be approved by the directors. Such bond shall be executed by a surety company authorized to do business in this State and shall be in an amount determined by the directors. The premium on each bond shall be paid by the watershed conservation district.

SECTION 10. District to be corporate body—powers and duties. —A watershed conservation district organized under the provisions of this act shall constitute a governmental subdivision of this State, and a public body corporate and politic, exercising public powers, and such district and the directors thereof shall, subject to the approval of the supervisors of the soil and water conservation district, have the following powers, in addition to others granted in other sections of this act:

(1) To acquire, by purchase, exchange, lease, gift, grant, bequest, devise, or otherwise, or through condemnation proceedings in the manner provided in Sections 25-101 through 25-140 and Sections 33-121 through 33-148, Code of Laws of South Carolina, 1962, such lands, easements or rights-of-way as are needed to carry out any authorized purpose of the watershed conservation district; and to sell, lease, or otherwise dispose of any of its property or interests

therein in furtherance of the purposes and provisions of this act; *provided*, that the power of eminent domain conferred hereunder shall not extend to the property of any public utility or public service corporation that the utility or public service corporation could have acquired under its power of eminent domain;

(2) To construct, reconstruct, repair, enlarge, improve, operate, and maintain such works of improvement as may be necessary or convenient for the performance of any of the operations authorized by this act;

(3) To borrow money and to execute promissory notes and other evidences of debt in connection therewith for payment of the costs and expenses of organizing the watershed conservation district or for carrying out any authorized purpose of such district, and if promissory notes are issued, to execute such mortgages on any property owned by such district, or assign or pledge such revenues or assessments of such district as may be required by the lender as security for the repayment of the loan; and to issue, negotiate, and sell its bonds as provided in Section 11 of this act;

(4) To levy an annual tax on the real property within the district subject to the limitations provided in Section 13 of this act for payment of the costs and expenses of organizing the watershed conservation district or for carrying out any authorized purpose of such district. Such levy shall be made only after approval by the supervisors of the soil and water conservation district and upon notifying the county auditor; and

(5) Where watersheds cross county or state lines, the watershed directors are authorized to work with similar organizations in determining cost sharing to solve common problems.

SECTION 11. Bonds not to be issued unless referendum held.—(1) Bonds authorized by Section 10 of this act shall not be issued until proposed by order or resolution of the directors of the watershed conservation district, specifying the purpose for which the funds are to be used and the proposed undertaking, the amount of bonds to be issued, the rate of interest they are to bear, and the amount of any necessary tax levy in excess of the maximum authorized in Section 13 of this act. A copy of the order or resolution shall be certified to the supervisors of the soil and water conservation district.

(2) The supervisors shall hold a hearing on such proposal after having given due notice. If it appears that the proposal is within

the scope and purpose of this act and meets all other requirements of the law, the proposal shall be submitted to the landowners of the district by a referendum held by the supervisors.

(3) The provisions of Sections 5, 6 and 7 of this act as to notice, qualifications of voters, absentee voting, and manner of holding the referendum in organizing a watershed conservation district shall apply to the referendum held under this section.

(4) If two-thirds of the votes cast in such referendum favor the proposal, the directors shall, with the approval of the supervisors, be authorized to issue such bonds.

SECTION 12. Compensation.—The directors of the watershed conservation district shall receive no compensation for their services, but they may be reimbursed for expenses, including traveling expenses, necessarily incurred in the performance of their duties as approved by the supervisors of the soil and water conservation district.

SECTION 13. Budget—tax levy.—Within the first quarter of each calendar year, the directors of the watershed conservation district shall prepare an itemized budget of the funds needed for administration of the watershed conservation district and for construction, operation and maintenance of works of improvement. After approval of such budget by the supervisors of the soil and water conservation district, the county auditor shall levy a tax sufficient to meet such budget on all real property within the watershed conservation district of not to exceed five mills on each dollar of assessed valuation, except that this limitation shall not apply to any levy necessary to provide a sinking fund for the retirement of bonds authorized by Section 11 of this act. A copy of such budget shall be certified to the Auditor of Berkeley County.

SECTION 14. List of landowners and acres subject to assessment.—(1) The directors of the watershed conservation district, with the assistance of the county auditor, shall prepare a list of the landowners involved, showing the number of acres subject to assessment.

(2) When the property tax rolls are delivered to the county treasurer by the county auditor, as required by law, the county treasurer shall compute the tax due the watershed conservation district from each landowner in accordance with the rate fixed by the directors and the value of the real property indicated on the tax roll. The computation shall be made on the regular tax bills.

SECTION 15. Collection of taxes.—(1) The county treasurer shall collect the taxes due the watershed conservation district at the same time and in the same manner as he collects other taxes of the county.

(2) The taxes shall be subject to the same due and delinquency dates, discounts, penalties and interests as are applied to the collection of county taxes.

SECTION 16. Expenditures.—Tax funds collected shall be transferred to and held by the treasurer of the watershed conservation district for the specific purpose for which they have been collected. All expenditures of such funds shall be made by the directors of the watershed conservation district with the approval of the supervisors of the soil and water conservation district.

SECTION 17. Petition to have lands detached.—The owners of lands which have not been, are not and cannot be benefited by their inclusion in the watershed conservation district may petition the supervisors of the soil and water conservation district to have such lands detached. The petition shall describe such lands and state the reasons why they should be detached. A hearing shall be held by the supervisors within thirty days after the petition is filed and due notice of such hearing shall be given by the supervisors. If it is determined by the supervisors that such lands shall be detached, such determination shall be certified to the Auditor of Berkeley County for recording. After being recorded, the certification shall be filed with the State Soil and Water Conservation Committee.

SECTION 18. Petition for discontinuance of district—hearing—referendum—discontinuance if election and determination favorable.—(1) At any time after five years after the organization of a watershed conservation district, twenty-five or more landowners within such district, or if less than fifty landowners are involved, a majority of such landowners, may file a petition with the supervisors of the soil and water conservation district asking that the existence of the watershed conservation district be discontinued. The petition shall state the reasons for discontinuance, and that all obligations of the watershed conservation district have been met. The supervisors may conduct such hearings upon the petition as may be necessary to assist them in the consideration thereof.

(2) Within sixty days after such petition has been filed with the supervisors they shall give due notice of the holding of a referendum.

The supervisors shall hold such referendum substantially as provided for in Section 11 of this act. The question shall be submitted by ballots upon which the words "For terminating the existence of the ..... Watershed Conservation District" and "Against terminating the existence of the ..... Watershed Conservation District" shall be printed, with a square before each proposition and a direction to insert an "X" mark in the square before one or the other of the propositions as the voter may favor or oppose the discontinuance of such watershed conservation district. Only landowners within the watershed conservation district shall be eligible to vote in such referendum. No informality in the conduct of the referendum or in any matters relating thereto shall invalidate the referendum or the results thereof if notice of the referendum shall have been given substantially as herein provided and the referendum shall have been fairly conducted.

(3) The supervisors shall publish the results of the referendum and shall thereafter determine whether the continued operation of the watershed conservation district is administratively practicable and feasible. If the supervisors determine that the continued operation of the watershed conservation district is administratively practicable and feasible, they shall record such determination and deny the petition. If the supervisors determine that the continued operation of the watershed conservation district is not administratively practicable and feasible, they shall record such determination and shall certify such determination to the directors of the watershed conservation district; *provided,* however, that the supervisors shall not be authorized to determine that the continued operation of the watershed conservation district is administratively practicable and feasible unless at least a majority of the votes cast in the referendum shall have been cast in favor of the continuance of the watershed conservation district.

(4) Upon receipt from the supervisors of a certification that they have determined that the continued operation of the watershed conservation district is not administratively practicable and feasible, the directors shall forthwith proceed to terminate the affairs of the watershed conservation district. A copy of the determination shall be certified to the Auditor of Berkeley County for recording. After being recorded, the certification shall be filed with the State Soil and Water Conservation Committee.

SECTION 19. Supervisory authority if district discontinued.—If the Berkeley County Soil and Water Conservation District is discontinued, all supervisory authority over the affairs of the watershed conservation district which was previously exercised by the supervisors shall thereafter be exercised by the governing body of Berkeley County.

SECTION 20. Not to affect existing districts.—The provisions of this act shall not affect any watershed conservation district in existence in the county prior to the effective date.

SECTION 21. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 27th day of May, 1965.

(R650, H1901)

No. 530

An Act To Validate A Loan Made To The Hanahan Public Service District Of Berkeley County For The Purchase Of A Garbage Truck.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Loan of Hanahan Public Service District validated.—That certain loan from S. C. National Bank, of North Charleston, in the sum of eight thousand seven hundred dollars, to the Commissioners of the Hanahan Public Service District of Berkeley County for the purchase of a garbage truck for the district heretofore negotiated is hereby validated and the obligation executed by the commissioners on or about March 22, 1965, as evidence of the loan, is hereby declared to be binding in every particular upon the district.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R729, H1903)

No. 531

An Act To Provide For The Levy Of Taxes For General County Purposes And To Provide For The Levy Of Taxes For School Purposes For Berkeley County For The Fiscal Year Beginning July 1, 1965; To Direct The Expenditures For General County Purposes; To Authorize The Borrowing Of Monies For School And County Purposes; And To Provide For The Administration Of The Business Of Berkeley County.

Be it enacted by the General Assembly of the State of South Carolina:

PART I

SECTION 1. A tax of twenty mills is hereby levied upon all the taxable property of Berkeley County for County purposes for the fiscal year beginning July 1, 1965, which together with all the monies then in the hands of the County Treasurer, or coming into his hands after July 1, 1965, from fines, forfeitures, fees, executions or otherwise, or in the bank or banks for the use of the County and not specifically pledged for some other purpose, shall be used, and same is hereby appropriated, in the amounts and for the purposes hereinafter stated:

ITEM 1. Roads and Bridges:

A. Maintenance and Construction	$ 72,000.00
B. Drainage	10,000.00
Total, Item 1	$ 82,000.00

Provided, all county officers and county employees, including employees paid under this item, shall receive a three per cent compensation increase. Said three per cent has been added to the salaries hereinafter set forth. *Provided,* further, a contract for repairs to the County Jail and the purchase of equipment for same is hereby authorized upon approval by the County Legislative Delegation; and the funds for this expenditure are hereby appropriated from the County General Fund.

ITEM 2. Salaries:

A. Clerk of Court	$ 9,463.12
B. Clerks to Clerk of Court (3)	10,706.85
C. Sheriff	5,407.50
Provided, the Sheriff shall receive an allowance of $250.00 per month for travel and expenses.	3,000.00
Provided, further, the Sheriff shall be furnished an automobile and boat for official duties; and the Sheriff's office shall retain fees for service of papers.	
Provided, further, funds derived from the sale of automobiles confiscated by the Sheriff's office shall be earmarked for the purchase of automobiles for this office; and the Sheriff's office may use automobiles confiscated rather than selling same.	
D. Clerk to Sheriff	3,568.95
E. (a) Eight Deputy Sheriffs, including travel, uniforms and decals	30,000.00
(b) Radio System maintenance	500.00
Provided, a breakdown of appropriation (a) shall be approved by a majority of the county legislative delegation prior to disbursement.	
(c) Radio-Teletype Operator	4,202.40
F. Tax Collector	4,800.00
Provided, the Tax Collector shall receive an allowance of $200.00 per month for travel and expenses.	2,400.00
Provided, further, the Tax Collector shall be furnished an automobile by the county for official duties.	
G. Clerk to Tax Collector	3,568.95
H. (a) Jailor	3,568.95
(b) Matron for Jail	324.45
I. Treasurer (see proviso below)	2,163.00
J. Clerks to Treasurer (2)	7,137.00
K. Auditor (see proviso below)	2,163.00
L. Clerks to Auditor (2)	7,137.00
Provided, the Auditor and Treasurer shall receive, in addition to the respective salaries,	

	the fees of their office as provided by law; the salary paid them by the State, which is $4,161.00; and the sum of $600.00 each for travel	1,200.00
M.	Probate Judge *Provided,* the Probate Judge shall receive all fees of the office, including marriage license fees.	4,326.00
N.	Clerk to Probate Judge	3,568.95
O.	(a) Master in Equity *Provided,* the Master shall receive all fees of the office.	2,163.00
	(b) Office Expenses	1,500.00
P.	Coroner	1,297.80
Q.	Supervisor *Provided,* the Supervisor shall also receive $250.00 per month for travel.	5,407.50 3,000.00
R.	Clerk to Supervisor	3,568.95
S.	Special Services:	
	(a) Clerk to County Delegation	3,568.95
	(b) Assistant Solicitor (supplement)	927.00
	(c) Clerk to Solicitor (supplement)	309.00
T.	County Attorney *Provided,* the County Attorney shall, upon official request, furnish legal advice and services to any person holding a county or school office, on official matters. *Provided,* further, he shall represent the county in all suits in which the county is named as party, and shall not appear as attorney against the County or any school unit thereof.	3,893.40
U.	Base Station Radio Operator	3,893.40
V.	Magistrates and Constables:	
	(1) Eight Magistrates	6,299.44
	(2) One Magistrate at County Seat	2,076.48
	(3) One Magistrate at St. Stephen	1,427.58
	(4) One Magistrate at Bonneau	1,427.58
	(5) One Magistrate at Hanahan District	2,076.48
	(6) One Magistrate at Jamestown	1,427.58

	(7) One Magistrate at Goose Creek	1,427.58
	(8) Office rent for Magistrates	1,800.00
	Provided, each magistrate before receiving his salary for any month shall file with the county treasurer, on or before the fifth day of the ensuing month, an itemized statement of all cases handled during the month for which he is being paid, showing the fines or sentences imposed or other disposition made of cases; and at such time shall pay over to the treasurer all fines or forfeitures collected for the county. His failure to do so shall cause the forfeiture of his salary for the month or months of such failure.	
	(9) Magistrates' Constables	26,280.45
	Provided, a breakdown of the appropriations in (8) and (9) shall be approved by the County Legislative Delegation prior to disbursement.	
	W. Janitors-Office Building and Courthouse ..	7,786.80
	X. Special Beach Deputies	1,400.00
	Y. Berkeley County Civil Defense	11,500.00
	Provided, a budget showing details of this appropriation shall be approved by a majority of the County Legislative Delegation prior to disbursement.	
	Z. Probation Officer (Supplement)	1,236.00
	Total, Item 2.....	$204,901.09
ITEM 3.	County Health Department:	
	Operation, Maintenance and Incidentals ...	$ 16,000.00
	Total, Item 3.....	$ 16,000.00
ITEM 4.	County Boards and Farm Offices:	
	A. County Board of Education ($100.00) each	$ 600.00
	B. (1) Nine County Tax Assessors	2,700.00
	(2) Tax Board of Review	2,700.00
	C. Boys' 4-H Club Work	300.00
	D. Girls' 4-H Club Work and Women's Work	300.00

E.	Clerk to Home Demonstration Agent (part-time)	584.00
F.	Clerk to County Agent (Supplement)	584.00
G.	Demonstration Supplies, both offices	100.00
H.	Stamps and Incidentals, both offices	50.00
I.	Negro Agriculture Agent (Supplement)	720.00
J.	Negro Home Demonstration Agent (Supplement)	720.00
K.	Negro Boys' 4-H Club Work	300.00
L.	Negro Girls' 4-H Club Work and Women's Work	300.00
M.	Office expense—Negro Ag. and H. D. Agents	125.00
N.	Clerical expense—Negro Ag. and H. D. Agents	1,622.25
O.	Soil Conservation Committee	200.00
P.	Supplement County Agent and Associate Agent for Travel, $480.00 each	960.00
Q.	Home Demonstration Agent and Assistant Agents for Travel, $480.00 each	1,920.00
	Total, Item 4	$ 14,785.25

ITEM 5. Department of Public Welfare:

A.	Supplement to County Director's Salary	$ 600.00
B.	Travel for five Field Workers	2,000.00
C.	Foster Home Care	1,500.00
D.	Emergency Relief	2,000.00
E.	Conference Attendance Expenses	75.00
F.	Salary Supplement-Child Welfare Worker	1,200.00
	Total, Item 5	$ 7,375.00

ITEM 6. Jail and Prisoners:

A.	Maintenance of Prisoners for dieting, etc., claims to be approved by Sheriff	$ 6,000.00

Provided, monthly reports shall be made by the Sheriff's office, showing details of claims paid under this appropriation to the County Supervisor, the County Treasurer and the members of the County Legislative Delegation.

	B. Transporting Prisoners	500.00
	Total, Item 6	$ 6,500.00
ITEM 7.	Miscellaneous Appropriations:	
	A. Jurors, Witnesses and Bailiffs	$ 4,000.00
	Provided, that jurors at coroner's inquests shall receive pay in the same manner and amount as circuit court jurors.	
	B. Assistance to aged, helpless and poor by the county	6,000.00
	C. Post-mortems, inquests and lunacies	1,800.00
	D. Courthouse and County Office Building—Maintenance and Operation	18,000.00
	E. Social Security, Retirement and Insurance	30,000.00
	F. Printing, postage, record books and office supplies for county offices	12,000.00
	Provided, prior to purchases desired hereunder, requisitions shall be made to the County Supervisor and approved by him before such purchases shall be made; and monthly reports showing the details of all claims paid under this appropriation shall be made by the Supervisor's office to the members of the County Legislative Delegation.	
	G. Vital Statistics	675.00
	Provided, that each registrar shall receive fifty cents per registration. No registrar shall receive less than twenty-five dollars per year.	
	H. Berkeley-Dorchester-Charleston T. E. C.: Pro-rata share operational budget	10,000.00
	Provided, a budget showing details of the appropriation shall be approved by a majority of the County Legislative Delegation prior to disbursement.	
	I. Miscellaneous Contingent Fund	5,000.00
	J. Supplement for County Board of Registration and Clerk	1,200.00
	K. Service Officer—travel and office expenses	600.00
	Provided, the Service Officer shall also be paid the full appropriation by the State for this office.	

L. County Development Board	7,500.00
Total, Item 7	$ 96,775.00
ITEM 8. Contributions:	
A. Berkeley Hospital	$ 18,000.00
B. Berkeley Memorial Library	23,000.00
C. Rescue Work	300.00
Total, Item 8	$ 41,300.00
GRAND TOTAL APPROPRIATIONS	$469,636.34
Estimated Revenue:	
State Sources:	
One cent gasoline tax	$110,000.00
Income Tax	50,000.00
Alcoholic Liquor Tax	45,000.00
Beer and Wine Tax	11,000.00
Insurance License Tax	20,000.00
Bank Tax	1,000.00
Total derived from State Sources for appropriations herein	$237,000.00
County Sources:	
Twenty mills property, including tax executions and costs	$150,000.00
Road tax and executions	15,000.00
Fines, forfeitures and fees	50,000.00
Santee-Cooper payment in lieu of property taxes	31,000.00
Total derived from County sources for appropriation herein	246,000.00
GRAND TOTAL—ESTIMATED REVENUE	$483,000.00

SECTION 2. All items herein which are to be paid out as salaries for officers and clerks of the county shall be expended in the usual manner twice monthly on the tenth and twenty-fifth and not otherwise, and no more; and in case any officer or clerk, as aforesaid, shall resign, or otherwise vacate his or her office or position before the

expiration of the fiscal year, he shall be entitled to monthly installments on a pro rata basis for the month, or parts of month actually served, and no more. Each of the clerks shall have five and one-half days annual leave per year and their absence from their respective offices for any cause other than sickness for any day or days beyond their period of annual leave shall cause their salary for such day or days to be deducted.

SECTION 3. It is hereby reaffirmed by the County Legislative Delegation that all purchases paid for by the County shall be made from business concerns within the County, insofar as same is economically feasible; and such purchases shall be fairly divided among the concerns in the county.

The County Supervisor, the County Superintendent of Education and the County Treasurer are hereby authorized to employ a County Purchasing Agent upon approval by the County Legislative Delegation.

SECTION 4. For the purpose of paying in cash the foregoing and all other general, ordinary or special county expenses for the fiscal year beginning July 1, 1965, as authorized by this act, or otherwise appropriated, in anticipation of the collection of taxes, or the receipt of revenues from the State, the County Supervisor and County Treasurer of Berkeley County are hereby authorized to borrow from time to time as may be necessary in their judgment, on note or notes, or other evidences of indebtedness of the county, executed by the said county officials, from any person, firm or corporation; or from the Treasurer's Reserve Fund, or other dormant funds; and the sum or sums so borrowed shall constitute a valid claim against the county; and the monies derived from the twenty-mill tax levied in Section 1 hereof, the commutation tax and any State revenues, may be pledged to secure the payment thereof; and it shall not be incumbent upon the person, firm or corporation making such loan or loans to see that the monies loaned are applied for the purposes for which they are borrowed.

SECTION 5. The Treasurer of Berkeley County shall be and he is hereby authorized to refund to any taxpayer the amount of taxes for any year which may have been collected by error.

SECTION 6. The former County Treasurer shall be paid the fees and costs provided by law on those delinquent taxes placed with his office during his term of office, upon the collection of same.

SECTION 7. For the purpose of providing for the maintenance and operation of Hanahan Public Service District, the Auditor of Berkeley County shall levy a tax of not exceeding sixty-five mills, the exact millage to be specified by a resolution adopted by the commissioners of such district prior to July 1, 1965, and presented to the County Legislative Delegation, upon the taxable property within the territorial limits of such district, which, together with the funds and income of the district from all sources, shall be used to carry out the duties and functions of the commission of the district, all or any of them, as provided for in Act No. 784 of the Acts of 1942, creating the district and commission, and all amendments thereto. The tax shall be levied and collected by the same officers and in the same manner as is provided for the collection of taxes levied for corporate purposes in Berkeley County, and the monies so collected shall be placed in separate funds by the County Treasurer and paid out on warrants of the commissioners of the district.

SECTION 8. In keeping with the established policy of allowing new industry five years' exemption from payment of taxes levied for county purposes, Craver Industries, Inc., is hereby exempted from the payment of property taxes for the year 1965 levied for county purposes, this being the fifth year of such exemption.

SECTION 9. All county offices may be closed at twelve noon on each Wednesday.

PART II

TAX LEVY FOR SCHOOL PURPOSES

SECTION 1. There is hereby levied on all the taxable property of The Berkeley County School District for the calendar year 1965 a tax of forty mills, the proceeds of which shall be used for general school purposes for the fiscal year 1965-1966, such purposes to be set forth in the county school budget for such fiscal year to be adopted as provided by law. The tax shall be assessed and collected as other property taxes are assessed and collected.

PART III

PERMANENT PROVISIONS

SECTION 1. The County Treasurer and the County Supervisor are hereby authorized and directed to borrow the sum of one hundred

thousand dollars for school purposes from any bank or lending institution upon such terms of payment of principal and interest as they may deem advisable. Said offices are hereby authorized to execute such note or notes as evidence of the obligation herein as may be required; and the full faith, credit and taxing power of Berkeley County are hereby pledged for the payment of said note or notes. The Auditor and Treasurer of Berkeley County are hereby authorized and directed to levy and collect sufficient millage each year upon the taxable property of Berkeley County to make the payments of principal and interest on said note or notes when they become due.

SECTION 2. The County Treasurer and the County Supervisor are hereby authorized and directed to borrow the sum of twenty thousand dollars for payment of Berkeley County's pro rata share of the costs of construction of additions to the Berkeley-Dorchester-Charleston Technical Educational Center, from any bank or lending institution upon such terms of payment of principal and interest as they may deem advisable. Said officers are hereby authorized to execute such note or notes as evidence of the obligation herein as may be required, and the full faith, credit and taxing power of Berkeley County are hereby pledged for the payment of said note or notes when they become due. The Auditor and Treasurer of Berkeley County are hereby authorized and directed to levy and collect sufficient millage each year upon the taxable property of Berkeley County to make the payments of principal and interest on said note or notes when they become due.

SECTION 3. The County Treasurer and the County Supervisor are hereby authorized and directed to borrow the sum of twenty-two thousand dollars for the airport at Moncks Corner from any bank or lending institution upon such terms of payment of principal and interest as they may deem advisable. Said officers are hereby authorized to execute such note or notes as evidence of the obligation herein as may be required; and the full faith, credit and taxing power of Berkeley County are hereby pledged for the payment of said note or notes when they become due. The Auditor and Treasurer of Berkeley County are hereby authorized and directed to levy and collect sufficient millage each year upon the taxable property of Berkeley County to make the payments of principal and interest on said note or notes when they become due.

PART IV

This act shall take effect upon approval by the Governor.

Approved the 19th day of June, 1965.

(R70, H1179) **No. 532**

An Act To Make Supplemental Appropriations For The Fiscal Year 1964-1965 From The General Fund Of Calhoun County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The following supplemental appropriations for the fiscal year 1964-1965 are made from the General Fund of Calhoun County:

Roads and Bridges	$ 1,000.00
Supervisor's Travel	100.00
Lunacies	150.00
Retirement	1,000.00
Public Buildings	2,000.00
Court House Supplies and Repairs	6,703.50
Contingent	3,441.41
Supervisor (motor grader and pickup)	18,174.00
County Board of Commissioners (improvements, Agriculture building)	2,842.00
Calhoun County Development Board	2,166.60

SECTION 2. This act shall take effect upon approval by the Governor.

Approved the 19th day of February, 1965.

(R722, H1710) **No. 533**

An Act To Provide For The Levy Of Taxes For Ordinary County And School Purposes For Calhoun County For The Fiscal Year 1965-1966, And For The Expenditures Thereof; And To Provide For Any And All Matters Pertaining To The Affairs Of The County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. There shall be levied upon the taxable property of Calhoun County for the purposes hereinafter specified:

School District No. 1: 39 mills for the operation of the schools in the district.

School District No. 2: 45 mills for the operation of the schools in the district.

SECTION 2. For county purposes for Calhoun County for the fiscal year 1965-1966, the sums hereinafter specified are appropriated for the purposes stated and the auditor of the county is authorized to levy, and the treasurer to collect, a tax of eight mills upon all the taxable property of Calhoun County to meet the appropriations herein made for general county purposes after deducting all other available income and revenue.

For construction and maintenance of bridges and roads and the support of county chain gang and floating gangs	$ 32,000.00
Provided, that all salaries paid from this item shall be increased by three per cent over the rate paid for the year 1964-1965.	
Clerk of Court	5,137.00
Deputy Clerk of Court	2,355.50
Sheriff—salary to be in lieu of all fees for services rendered to the county	5,137.00
Travel allowance and automobile repairs for Sheriff (if so much be necessary)	800.00
Deputy Sheriffs—2 @ $2,920.00 each	5,840.00
Travel allowance for deputies for use in their own cars—$1,500.00 each	3,000.00
Auditor	975.50
Treasurer	975.50
Clerical assistance, Auditor	2,355.50
Clerical assistance, Treasurer	1,071.00
Clerical assistance, Superintendent of Education	100.00
Travel allowance, Superintendent of Education	200.00
Attorney for County	714.00
Coroner	714.00
Travel allowance for Coroner	60.00
Supervisor	5,137.00

Travel allowance for Supervisor, if so much be necessary	1,000.00
Two County Commissioners, $892.00 each	1,784.00
Clerk to Board of County Commissioners	2,355.50
Judge of Probate	5,137.00
Constables:	
First District	1,428.00
Second District	892.00
Third District	892.00
Provided, each magistrate's constable in the county shall be paid fifteen dollars monthly as a travel expense	540.00
Magistrates:	
First District	1,784.50
Second District	1,142.00
Third District	1,142.00
Office Rent—Third District	120.00

Provided, the compensation provided for magistrates and constables is in lieu of all fees payable by the county to which any and all of them may be entitled, except in cases of violation of the worthless check law, and they shall have authority to charge and receive the following fees, which shall be in addition to their salaries: magistrates, one dollar, constables and sheriff, five dollars and mileage, as provided in Section 27-451 of the 1962 Code, when prosecution in such cases is discontinued by settlment or compromise.

Provided, further, that the magistrates at Cameron and Lone Star shall give bonds in the sum of five hundred dollars, and the magistrate at St. Matthews shall give bond in the sum of one thousand dollars, conditioned upon the faithful performance of their duties and the premium paid thereon out of the county contingent fund.

Tax Collector	536.00
Travel allowance, Tax Collector	150.00
Board of Education	500.00
Board of Equalization	300.00

Provided, members of the board shall be paid six dollars per day.

Jail expenses, including dieting of prisoners	1,200.00

Provided, the Sheriff shall be allowed one dollar per day for dieting prisoners.

Jurors, Bailiffs, Deputy Clerks and Witnesses	1,500.00

Provided, jurors in the general sessions and common pleas courts shall receive six dollars per day, and jurors in the magistrates' courts and coroner's inquests shall be paid three dollars per day, to be paid as now provided by law.

D.P.W. Emergency Fund	200.00
Contribution to Tuberculosis Work	800.00
Travel allowance, County Lunch Supervisor	300.00
Rent, School Commodities Storage	300.00
Travel allowance, Attendance Supervisor	300.00
Travel allowance, County Service Officer	300.00
Office expenses, County Service Officer	150.00
Post Mortems and Inquests	100.00
Burial of County Poor	100.00
Lunacies (to be used for medical examination and transportation)	150.00
Expense, Soil and Water Conservation Supervisor	100.00
Home Demonstration Agent—supplies, contingent, stamps, etc.	100.00
Farm Agent—supplies, contingent, stamps, etc.	100.00
Farm Agent's salary supplement	649.00
Home Demonstration Agent's salary supplement	325.00
Clerical assistant for Home Demonstration Agent and County Agent	649.00
County Libraries	8,441.00

To be expended by a committee of four in charge of such library, to be appointed by the legislative delegation.

Bookmobile for County Libraries, if so much be necessary	9,000.00

Provided, that such purchase be made by the county board of commissioners from the Division of General Services or upon receipt of sealed bids from individual agencies.

For retirement of county officers and employees, if so much be necessary	5,745.00
Workmen's Compensation Premium	1,800.00
Public Buildings, including janitor, water, lights, telephones and fuel	6,000.00
Provided, the same to be used for county purposes only.	
Printing, postage, stationery, supplies and repairs for county buildings, including salary of $300.00 per year to the county supervisor as custodian of such buildings	6,200.00
Provided, the fund for public buildings and supplies shall be expended for the officers and offices of the courthouse and office buildings on the approval of the supervisor, and when so approved by him shall be paid by the county board of commissioners.	
Miscellaneous Contingent	4,000.00
Provided, such funds shall be disbursed only upon written consent and with the authority of the legislative delegation.	
Jailor	2,141.50
Premiums on bonds for county officers	550.00
Hospitalization fee	6,000.00
Provided, that the county shall pay such per diem costs as may be agreed upon by the county board of commissioners for charity patients, with notice to any hospital to which such patient may be sent that such payments will stop when the above amount has been exhausted and the county assumes no further responsibility for such aid. The expenditure made under this item shall be under the county board of public welfare, which shall investigate each case and only approve such aid where the applicant is unable to pay for treatment and would suffer unless the county so provides; the board shall prorate this appropriation over the twelve-month period and, if necessary, shall limit aid to emergency cases involving serious danger to life and health.	
County Health, if so much be necessary	7,710.00
Vital Statistics	300.00

County share, Group Insurance	630.00
Historical Commission	2,079.00
To be advanced in installments as may be approved by the county board of commissioners.	
Social Security	3,100.00
Insurance on Sheriff's and Supervisor's automobiles	401.00
Fire Insurance on county buildings	2,053.91
Auditing the county affairs, 1964-1965	750.00
Rabies Control Officer, travel	463.50
Provided, this sum shall be paid in monthly installments.	
National Guard Armory, Supplies and Company Fund	1,000.00
Development Board	5,500.00
Expense for circuit court solicitor	200.00
Clerical help, Judge, First Judicial Circuit	400.00
County Civil Defense (if so much be necessary)	500.00
Provided, that all expenditures from this fund shall be subject to the written approval of the legislative delegation.	
GRAND TOTAL	$168,562.91

SECTION 3. The county board of commissioners (including the supervisor) is directed to work all roads, streets, alleys and public parking areas in the towns and villages, incorporated or unincorporated, in Calhoun County; and may, in its discretion, perform such work in and around other county and municipal buildings, parks, public landings and facilities as may be deemed necessary and advisable.

SECTION 4. All disbursements for travel allowance and for repairs for county-owned cars shall be evidenced by itemized statements that have actually been paid and so marked.

SECTION 5. If any of the sums abovementioned, or any portion thereof, are not used or expended for the specific purposes for which appropriated, the whole or any balance shall be expended only upon written authorization of the Legislative Delegation of Calhoun County.

SECTION 6. It shall be unlawful for any officer of this county to approve or pay any claims against the county, or any school district, unless the funds are on hand for the payment of same, and also it shall be unlawful for the county board of commissioners to exceed the appropriations made for the several items in this act, unless authorized by the county delegation, and any county officer violating the provisions of this act shall be liable for such violations on his official bond; *provided,* however, that the county treasurer and supervisor are hereby authorized and empowered to borrow so much money as is necessary to defray the county expenses, not exceeding the total amount herein appropriated, and are authorized to pledge the taxes, when so collected, for the payment of the same; *provided,* further, that all monies coming into the county treasury to the credit of the county by reason of contracts made and work done by the county or its authorities in the working or building of roads and bridges may be used and expended by the board of commissioners in the maintenance and support of the county chain gang and in building bridges and maintenance of roads, permanent and otherwise.

SECTION 7. The board of county commissioners shall pay the regular commercial rate for publication of quarterly reports.

SECTION 8. The supervisor shall have entire oversight and care of the courthouse building and grounds, and he shall supervise the care of same, and the janitor for the courthouse shall be employed by the supervisor, and it shall be his duty to supervise the janitor and see that he keeps the courthouse grounds in proper condition; *provided,* however, the sheriff shall have entire oversight and care of the jail and he shall employ the jailor for the same.

SECTION 9. The county board of commissioners shall appoint a bank as a depository in which the county treasurer shall deposit all monies coming into his hands as an officer, which appointment shall be by proper resolutions spread upon the minutes of the board. Such board shall from time to time, by resolution spread upon its minutes, make such requirements as may be deemed necessary for the safety of such funds so deposited, not inconsistent with the general laws of the State. If any of such funds are dissipated or lost by reason of the insolvency or failure of any such depository, then such dissipation or loss shall not constitute a liability on the official bond of the county treasurer nor a liability on the sureties thereon. In the

event of the dissipation or loss of any such funds because of such insolvency or failure the county and State shall have a preferred claim against such bank for the amount of such dissipation or loss.

SECTION 10. All appropriations made herein are subject to the right and authority of the Calhoun County Legislative Delegation to change, alter, or deduct therefrom at any time, without notice, when in its judgment such change, alteration or deduction is necessary for the best interests of the county, and to conform with revenue expected during the life of this act. *Provided,* that the change made by the delegation pursuant to the authority herein conferred shall not operate to increase the total amount appropriated.

SECTION 11. All fees collectible by law by the auditor, treasurer, clerk of court and judge of probate shall be collected by such officers and placed by them in the treasury of the county to the credit of the general fund. Each officer shall keep a record of all fees collected for auditing purposes and on or before the tenth day of each month shall remit all fees collected in the preceding month.

SECTION 12. Of the amounts appropriated in this act as salaries for law enforcement officers, an amount of five dollars per day for each such officer is hereby designated as subsistence for each day of active law enforcement duty.

SECTION 13. All county offices shall be open between the hours of 9 a. m. and 5 p. m. during the week, except on Wednesdays and Saturdays, when they shall close at 1 p. m., and on holidays and with the further exception of offices with only one officer, and it is necessary for him to be out in the field on work in regard to his office. *Provided,* in the event of an emergency the offices may be closed with the approval of the legislative delegation.

SECTION 14. This act shall take effect upon approval by the Governor.

Approved the 19th day of June, 1965.

(R156, S159)

No. 534

An Act To Authorize The County Council Of Charleston County To Issue And Sell Not Exceeding Four Million Three Hundred Fifty Thousand Dollars Of General Obligation Bonds Of Charleston County; To Prescribe The Conditions Under Which The Bonds May Be Sold, The Conditions Under Which Their Proceeds Shall Be Expended; And To Make Provisions For The Payment Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly takes note of the fact that the County Council of Charleston County, which is the public agency upon whom is devolved the principal governmental functions relating to the administration of county affairs in Charleston County, having been created by Act No. 764 of 1948, as amended, hereinafter called "County Council" may incur indebtedness on behalf of Charleston County.

The General Assembly finds that County Council acting pursuant to powers granted to it by such act ordered that there be submitted to the qualified voters of Charleston County at the General Election held on November 3, 1964 the following questions all of which resulted favorably:

Shall County Council of Charleston County be empowered to issue and sell, either as a single issue, or from time to time as several separate issues, general obligation bonds of Charleston County, not exceeding two hundred seventy-five thousand dollars whose proceeds shall be expended for a juvenile detention home and a site therefor?

Shall County Council of Charleston County be empowered to issue and sell, either as a single issue, or from time to time as several separate issues, general obligation bonds of Charleston County, not exceeding one million forty thousand dollars whose proceeds shall be expended for a new county jail and a site therefor?

Shall County Council of Charleston County be empowered to issue and sell, either as a separate issue, or from time to time as several separate issues, general obligation bonds of Charleston County, not exceeding one million six hundred thirty-two thousand dollars whose proceeds shall be expended for a county office building, a site therefor and appurtenances thereto?

Shall County Council of Charleston County be empowered to issue and sell, either as a single issue, or from time to time as several separate issues, general obligation bonds of Charleston County, not exceeding five hundred fifty-five thousand dollars whose proceeds shall be expended for renovation and improvements at the county center?

Shall County Council of Charleston County be empowered to issue and sell, either as a single issue, or from time to time as several separate issues, general obligation bonds of Charleston County, not exceeding three hundred forty-eight thousand dollars whose proceeds shall be expended for the renovation and improvement of the existing county courthouse?

Shall County Council of Charleston County be empowered to issue and sell general obligation bonds of Charleston County not exceeding five hundred thousand dollars whose proceeds shall be contributed toward the cost of the construction and equipping of a municipal auditorium in the City of Charleston, which is to be built by the City of Charleston and which would be subject to the use and enjoyment of the citizens of Charleston County?

The General Assembly further notes that under the proceedings prescribed by such act, County Council is required to make provisions for the issuance of the bonds through an ordinance which shall have been read at three regular meetings of County Council.

It takes note of the fact that conditions in the money market are sometimes volatile and that it is desirable that the procedure by which County Council may issue the bonds for the purposes enumerated above may be expedited.

SECTION 2. Bonds may be issued.—In order to provide the funds required for the projects authorized to be undertaken by this act, County Council may issue general obligation bonds of Charleston County in the aggregate principal amount of not exceeding four million three hundred fifty thousand dollars.

The action to be taken by County Council in effecting the issuance of the bonds authorized by this act may be taken at special or regular meeting and may be in the form of a resolution which shall become effective immediately upon its adoption at the meeting at which it is presented, notwithstanding that the procedure herein authorized shall be different from the procedure authorized by Act No. 764 of 1948, as amended, for the issuance of bonds by County Council on behalf of Charleston County.

SECTION 3. Issue—maturity.—The bonds authorized by this act may be issued as a single issue, or from time to time as several separate issues. They shall mature in such series or instalments as County Council shall from time to time determine.

SECTION 4. Redemption—interest—dates.—The bonds may contain a provision permitting their redemption prior to their stated maturity at such rate of premium as may be prescribed by the County Council. They shall bear such rates of interest as County Council shall determine, payable semiannually. They shall bear such date and be payable at such places as County Council shall determine. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the County Treasurer of Charleston County, and the principal thus made payable to the registered holder, unless the last registered transfer shall have been to bearer, upon such conditions as County Council may prescribe.

SECTION 5. Execution.—The bonds shall be executed, and the coupons authenticated, in such manner as County Council shall by resolution prescribe.

SECTION 6. Sale.—The bonds issued pursuant to this act shall be sold at not less than par and accrued interest to the date of their delivery, at public sale, and at least ten days prior to any sale, notice, announcing the intention to receive bids for the sale of the bonds authorized by this act, shall be published in a newspaper of general circulation in the State of South Carolina.

SECTION 7. Proceeds.—The proceeds derived from the sale of the bonds shall be deposited with the Treasurer of Charleston County in a special fund, separate and distinct from all other funds, and shall be expended, upon the order or warrant of County Council, to:

(a) Defray the cost of issuing the bonds;

(b) To provide moneys to the extent of not exceeding two hundred seventy-five thousand dollars whose proceeds shall be expended for a juvenile detention home and a site therefor;

(c) To provide moneys to the extent of not exceeding one million forty thousand dollars whose proceeds shall be expended for a new county jail and a site therefor;

(d) To provide moneys to the extent of not exceeding one million six hundred thirty-two thousand dollars whose proceeds shall be expended for a county office building, a site therefor and appurtenances thereto;

(e) To provide moneys to the extent of not exceeding five hundred fifty-five thousand dollars whose proceeds shall be expended for renovation and improvements at the county center;

(f) To provide moneys to the extent of not exceeding three hundred forty-eight thousand dollars whose proceeds shall be expended for the renovation and improvement of the existing county courthouse; and

(g) To provide moneys to the extent of not exceeding five hundred thousand dollars whose proceeds shall be contributed toward the cost of the construction and equipping of a municipal auditorium in the City of Charleston, which is to be built by the City of Charleston and which would be subject to the use and enjoyment of the citizens of Charleston County. Any costs incurred in the issuance of the bonds shall be divided between the projects herein authorized in the proportion that the sum intended for each bears to the total of bonds issued.

If any moneys shall remain after making the foregoing applications, the remainder shall be applied to the retirement of bonds issued pursuant to this act. No purchaser or subsequent holder of any of the bonds shall be responsible for the proper application of the proceeds to the purposes for which such bonds are issued.

SECTION 8. Payment.—The full faith, credit and taxing power of Charleston County shall be pledged for the payment of the bonds and interest, and the auditor and treasurer, respectively, shall levy and collect annually a tax upon all taxable property in the county sufficient to pay such principal and interest as they respectively mature.

SECTION 9. Exempt from taxes.—The principal and interest of all bonds issued pursuant to this act shall have the tax exempt status prescribed by Section 65-4.1, Code of Laws of South Carolina, 1962.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of March, 1965.

(R273, H1246) **No. 535**

An Act To Authorize St. Andrews Public Service District, Charleston County, To Issue Not Exceeding Five Million Dollars Of Bonds Of The District To Provide Funds For Sewage Collection, Treatment And Disposal Facilities For The District; To Prescribe The Conditions Under Which The Bonds Shall Be Issued And To Make Provisions For The Payment Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that it did by Act No. 443 of 1949, create St. Andrews Public Service District (the district) as a special purpose district in Charleston County and committed to its governing body, the St. Andrews Public Service District Commission (the commission) certain functions including the function of providing adequate sewage collection, treatment and disposal facilities for the district. The boundaries of the district as originally defined have been modified by subsequent legislation and by annexation by the City of Charleston and the term district as used herein is intended to mean the district as now constituted or as it may hereafter be constituted.

The district has become thickly populated and the preservation of the public health requires, (a) the construction and maintenance of sewage treatment facilities in order that raw sewage shall no longer be discharged into Charleston Harbor and rivers, creeks and tributaries thereof; (b) the installation of additional sewer trunk lines, and (c) the construction of sewer laterals in order that substantially all of the developed area of the district shall be furnished with sewage disposal facilities.

It has been estimated that the cost of providing the foregoing facilities to the district will be substantial. Present estimates made by consulting engineers employed by the district indicate an expenditure of not less than five million dollars. The General Assembly has given due consideration to the method of financing the expenditures which must be undertaken by the commission and has concluded that the district shall be empowered to issue general obligation bonds to the extent of five million dollars.

The General Assembly by legislation in pari materia, has empowered the district inter alia, (a) to impose a sewer service charge on all furnished sewage disposal service, being a charge generally designed to care for the cost of operation and maintenance of the

sewage facilities of the district and also designed to provide a portion of the debt service charges on bonds of the district; and (b) to impose assessments to defray portions of the costs of constructing sewer laterals against the properties abutting thereon. The latter power conferred upon the district results from the fact that the General Assembly has also taken note of the fact that many areas in the district now have sewage collection facilities which are furnished by existing sewers paid for by the district or by those who developed the properties and that as a consequence it is equitable that all those hereafter furnished sewage collection facilities should pay for the sewer laterals designed to serve their immediate properties.

On the basis of the foregoing, the General Assembly has determined to empower the commission to issue general obligation bonds of the district to the extent of five million dollars upon the conditions hereinafter set forth.

SECTION 2. Definitions.—For all purposes of this act,

(a) the term "district" shall mean the St. Andrews Public Service District in Charleston County as now or hereafter constituted.

(b) the term "commission" shall mean the governing agency of the district as now or hereafter constituted.

SECTION 3. Bond issue authorized.—In order to obtain funds to defray the costs of constructing the sewage collection and treatment facilities hereinabove described, the commission is hereby authorized and empowered to issue not exceeding five million dollars of general obligation bonds of the district; *provided,* that the commission covenant and agree in the proceedings providing for the issuance of the bonds, or any part thereof, that the commission will impose assessments against properties abutting sewer laterals constructed from the proceeds of the bonds to such extent as the commission shall deem fair and equitable.

SECTION 4. Denominations and maturity.—The bonds authorized by this act may be issued as a single issue or may be issued in several issues from time to time as the commission may determine. Bonds issued hereunder shall be in such denominations and shall mature in such annual series or installments as the commission shall provide.

SECTION 5. Redemption.—Any bond issued pursuant to this act may be issued with a provision for its redemption prior to its stated

maturity at par and accrued interest plus such redemption premium as may be prescribed by the commission, but no bond shall be redeemable before maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of any bonds provisions shall be made specifying the manner of call and notice thereof that must be given.

SECTION 6. Form.—The bonds issued pursuant to this act shall be in the form of negotiable coupon bonds payable to bearer but may be issued with the privilege to any holder of having them registered as to principal on the books of the treasurer of Charleston County upon such conditions as the commission may prescribe. Except when so registered all bonds issued pursuant to this act shall have the attributes of negotiable instruments under the law merchant and negotiable instruments law.

SECTION 7. Where payable.—The bonds issued pursuant to this act shall be made payable in such place within or without the State as the commission shall prescribe.

SECTION 8. Interest.—Bonds issued pursuant to this act shall bear interest at such rate as may be determined by the commission.

SECTION 9. Execution.—Bonds issued pursuant to this act and the coupons attached thereto shall be executed in such manner as the commission shall by resolution provide.

SECTION 10. Sale.—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold at public sale after advertisement in a newspaper of general circulation in South Carolina. The published notice of sale shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 11. Payment.—For the payment of the principal of and interest on the bonds issued pursuant to this act as they respectively mature and for the creation of such sinking funds as may be necessary, the full faith, credit and taxing power of the district shall be irrevocably pledged and there shall be levied annually by the auditor of Charleston County and collected by the treasurer of Charleston County, in the same manner as county taxes are levied and collected, a tax without limit on all taxable property in the district sufficient to pay the principal and interest on the bonds as they respectively mature and to create such sinking fund as may be necessary therefor;

provided, that it shall be the duty of the commission to remit to or make available to the treasurer of Charleston County all sums realized from front foot assessments and the net proceeds of all sums derived from sewer charges remaining after the payment of the cost of operating and maintaining the sewer system and the ad valorem tax levy above-ordered shall be reduced to the extent that there shall have been made available for debt service on the occasion in each year when the ad valorem tax levy is to be imposed monies derived from the sewer charges and front foot assessments as hereinabove-mentioned; and in all instances where an annual tax levy is so reduced, the monies derived from the sewer charges and front foot assessments shall be applied to the payment of such principal and interest and to no other purpose.

SECTION 12. Exempt from taxes.—The principal of and interest on bonds issued pursuant to this act shall have the tax exempt status prescribed by Section 65-4.1, Code of Laws of South Carolina, 1962.

SECTION 13. Proceeds.—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the treasurer of Charleston County and shall be deposited in a special bond account fund for the commission and shall be expended and made use of as follows:

(a) All accrued interest shall be applied to the payment of the first installment of interest to become due on the bonds.

(b) Any premium received upon the sale of the bonds shall be applied to the payment of the first installment of principal of the bonds.

(c) The remaining proceeds shall be used upon the warrant or order of the commission to defray the cost of issuing bonds authorized hereby and to pay all costs to be incurred in providing the sewage collection and treatment facilities for the district hereinabove-mentioned, including the acquisition of any site necessary therefor and the cost of installing additional sewage collection lines in the district. *Provided,* that pending the use of proceeds of the bonds to meet the cost to be incurred as aforesaid, the proceeds of the bonds shall, at the direction of the commission and to the extent prescribed by the commission, be invested and reinvested in obligation of the United States or of agencies having a stated maturity of not exceeding twelve months from the date of such investments. The commission may employ the services of the trust department of any bank having an office in Charleston County to assist it in effecting such investments, and if

such action shall be taken by the commission, the treasurer of Charleston County shall, on the order of the commission, deliver to such bank the proceeds of the bonds to the extent ordered by the commission.

All income realized from such investments after meeting any costs incident thereto shall be from time to time turned over to the treasurer of Charleston County and by him applied to the payment of interest to become due on the bonds, but the provisions hereof shall in no way limit or impair the directive of this act made by Section 11 requiring the auditor and treasurer of Charleston County to levy and collect sufficient taxes to meet the payment of principal and interest of the bonds as they respectively mature, and any reduction in the tax levy, resulting from income so received, shall take place only after the actual receipt by the treasurer of the proceeds of such investment income. Whenever investments made as herein authorized shall be reconverted into cash, the principal proceeds of any such investment shall be returned to the treasurer of Charleston County and by him applied in accordance with the provisions of this subsection.

(d) If any balance remains after meeting all costs of providing the sewage collection and treatment facilities above-mentioned, it shall be held by the treasurer of Charleston County in a special fund and used to effect the retirement of bonds authorized hereby.

SECTION 14. Powers to be additional.—The powers and authorizations hereby conferred upon the commission shall be in addition to all other powers and authorizations previously vested in them and may be exercised by action taken at regular or special meetings. The compliance with the provisions of this act shall constitute all action necessary to effect the valid issuance of the bonds authorized hereunder.

SECTION 15. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of April, 1965.

(R300, H1469) **No. 536**

An Act To Amend Act 521 Of 1957, As Amended, Relating To The North Charleston Consolidated Public Service District Commission, So As To Provide For The Election Of A Vice-

Chairman And To Provide For The Method By Which The Proceeds Of A Tax Levy May Be Paid Out By The Commission.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 3 of Act 521 of 1957 amended—to be governed by a commission.—Section 3 of Act 521 of 1957, as amended, is further amended on line eighteen by adding "The Commission shall elect from its members a vice-chairman." after the period. The section when amended shall read as follows:

"Section 3. The District shall be governed by a commission to be known as the North Charleston Consolidated Public Service District Commission (hereafter called the 'Commission'), and all functions committed to the District shall be exercised by the Commission. The Commission shall consist of five members who shall be appointed by the Governor upon the written recommendation of the Senator and a majority of the Charleston County Legislative Delegation as follows: one from the Garden Hill-Kiawah and St. Phillips and St. Michaels voting precincts, one from the Dorchester-Waylyn voting precinct, one from the North Charleston voting precinct No. 1, one from the North Charleston voting precinct No. 2 and one from the Midland Park voting precinct. The members of the Commission must reside in the areas from which they are appointed. Except as provided herein for those initially appointed, each member of the Commission shall hold office for a term of two years and until their successors shall be appointed and shall qualify. Immediately following the appointment of the Commission, it shall meet and organize by electing a chairman and a secretary. The Commission shall elect from its members a vice-chairman. All terms of office shall expire on the second anniversary following the date of initial appointment. Any vacancy shall be filled for the unexpired term in the manner of the original appointment. The members of the Commission shall be paid compensation, from the funds of the Commission, in such amount as is approved as an item in the Annual Budget of the Commission."

SECTION 2. Section 8 of Act 521 of 1957 amended—tax levy.—Section 8 of Act 521 of 1957 is amended on line nine by striking "its chairman and secretary" and inserting in lieu thereof "at least two of its officers". The section when amended shall read as follows:

"Section 8. In addition to the tax necessary to meet the obligations assumed pursuant to Section 6 hereof the County Auditor shall levy and Treasurer of Charleston County shall annually collect a tax of

sufficient millage as is approved pursuant to Section 14-1182, Code of Laws of South Carolina, 1952, on all taxable property in the territorial limits of the district, the proceeds of which tax shall be placed to the credit of the North Charleston Consolidated Public Service District Commission and paid out under warrants of at least two of its officers for carrying out the purposes of this act and the functions of the commission."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1965.

(R353, H1523) **No. 537**

An Act To Amend Act No. 443 Of 1949, As Amended, Relating To The St. Andrews Public Service District, Charleston County, So As To Enlarge And Redefine The Powers Of The St. Andrew's Public Service District; To Empower The District To Impose And Enforce The Payment Of Sewer Service Charges; To Empower The District To Make Unpaid Sewer Charges A Lien Against The Property Served; To Empower The District To Adopt And Enforce Regulations Requiring Property In The District To Connect To And Use The District's Sewage Collection Facilities And Regulating Generally The Use Of The Public Sewage Facilities; And To Empower The District To Impose Front Foot Assessments Against Property Abutting Its Sewer Lines.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that St. Andrews Public Service District in Charleston County (the District) was created by Act No. 443 of the Acts of 1949 wherein it was given divers functions including the function of acquiring, constructing, maintaining and operating in the District sanitary sewer systems including extensions to the then existing sanitary sewer systems of the District. Subsequent legislative enactments have redefined the territorial limits of the District. The St. Andrews Public Service District Commission (the Commission) which is the governing body of the District contemplates substantial extensions and im-

provements to its existing sanitary sewer system, the cost of which will be defrayed by the issuance of general obligation bonds of the District payable from a district-wide ad valorem tax as will more fully appear in legislation enacted in pari materia herewith authorizing the issuance of such bonds.

The General Assembly after due investigation has concluded that the collection of sewer charges for sewage collection services to defray the cost of operation and maintenance of the sewage facilities and to provide a portion of the debt service on the District's bonds can be enforced by making such unpaid sewer charge a lien against the property concerned in the manner approved in the case of *Distin v. Bolding,* 126 S. E. 2d 649. Furthermore the General Assembly has concluded that in some instances the cost of constructing sewage collection facilities can be more equitably distributed by way of an assessment against the properties fronting upon the sewage collection laterals.

In view of the foregoing the General Assembly has determined to give the Commission in addition to those powers already vested in it the power: (a) to place into effect and revise a schedule of fees for its sewage collection service; (b) to make unpaid sewer charges a lien against the property served; (c) to adopt and enforce regulations requiring all properties to which sewer service is available to connect to the District's sewage collection facilities as now existing and hereafter improved; (d) to make regulations generally with respect to the discharge of sewage and the use of privies, septic tanks and other facilities in connection with the public sewage facilities; and (e) to impose front foot assessments against properties abutting the sewage collection laterals.

It is the legislative intent of this act that it shall be deemed complementary and supplementary to existing laws relating to the District and to add to the powers, functions and duties committed to the Commission in order that the District may fulfill its function of preserving the public health and provide for all those who own, use or occupy dwellings or other buildings therein adequate means for the collection and treatment of sewage originating therein. In enacting this law the General Assembly exercises its general police powers having found that such exercise was necessary for the maintenance and preservation of the health of the inhabitants of the District.

SECTION 2. Definitions.—For the purposes of this act,

Service District in Charleston County as now or hereafter constituted;

(a) the term "District" shall mean the St. Andrews Public

(b) the term "Commission" shall mean the governing agency of the District as now or hereafter constituted;

(c) the term "sewer charge" shall mean the monthly, quarterly, or annual charge imposed for the collection, treatment and disposal of sewage and shall include all tapping and connection fees;

(d) the term "front foot assessment" shall mean assessment levied to reimburse the District for that portion of the cost of installing sewer lateral (collection lines) imposed by the Commission on a front foot basis.

SECTION 3. Section 4 of Act 443 of 1949 amended—powers further.—Section 4 of Act No. 443 of the Acts of 1949, as amended, is further amended by adding at the end thereof the following:

"(18) To place into effect and to revise whenever it so wishes or may be required a schedule of sewer charges for the connection to and use of its sewage disposal system as now existing and hereafter improved and extended. Prior to the making of any sewer connection or the furnishing of any sewage disposal service for which the prescribed sewer charge shall, pursuant to Section 9 of this act, become a lien on the property affected and prior to any subsequent increase in any such sewer charge, not less than ten days written notice shall be given to each affected property owner notifying him of the nature and quantum of the sewer charge and providing such property owner an opportunity if desired and requested, to appear and be heard in person or by counsel before the Commission. Following such hearing if such be requested and held, action shall be taken by the Commission and notice of its decision shall be given to the property owner concerned or his counsel as the case may be not less than ten days prior to the effective date of the sewer charge. Any property owner aggrieved by the action of the Commission may proceed by certiorari in the Court of Common Pleas for Charleston County to have such court review the action taken by the Commission at which time the court will determine the validity and reasonableness of the charge so made. Sewer charges not intended to become liens in the case of nonpayment can be imposed and subsequently increased upon any user in the District without such notice and hearing.

(19) To prescribe and enforce regulations (a) requiring all persons to whom it is available to make use of any sewer system which the District shall from time to time operate and (b) generally with respect to the discharge of sewage and the use of privies, septic tanks and other sewage facilities in the District. Any such

regulations shall, however, become effective only after they have been adopted by resolution of the Commission, a certified copy thereof has been recorded in the Office of the Register of Mesne Conveyances for Charleston County, a copy has been posted in the Charleston County Courthouse and a notice of the adoption of such resolution has been published at least once a week for three successive weeks in a newspaper published in Charleston County and having a general circulation in the District. The published notice shall specify in brief the scope of the regulations and shall state the date on which it shall become effective. Prior to the adoption of the resolution, the Commission shall give public notice of a meeting to be held to consider its adoption and the notice shall appear in a newspaper published in Charleston County and having general circulation in the District at least once not less than seven days prior to the occasion fixed for the holding of such meeting. Any persons affected may attend such meeting and express their views on the proposed regulations. The provisions of this paragraph prescribing conditions upon the effectiveness of the regulations specified above in this paragraph shall not be deemed to impose mandatory conditions upon the exercise of any other power or the adoption of any other type of regulation authorized by this act."

SECTION 4. Act 443 of 1957 amended—Section 9 added—unpaid charges to constitute lien.—Act No. 443 of the Acts of 1957 is amended by adding a new section to be Section 9 as follows:

"Section 9. If the notice or notices prescribed by paragraph 18 of Section 4 of this act shall have been given and any hearing requested pursuant thereto shall have been held, all sewer charges and other charges imposed by the Commission following that procedure under authority of this act and not paid when due and payable shall be and constitute a lien upon the real estate to which the sewage service concerned relates so long as the sewer charges remain unpaid. In addition to such other rights and remedies as may be available to the Commission in law or in equity for the collection of the sewer charges, the lien may be enforced by the Commission in the same manner and fashion as the lien of property taxes on real estate. The lien herein provided shall be superior to all other liens except lien for unpaid property taxes.

The method provided in this act for the enforcement of the collection of past due sewer charges by creating them liens against real property shall not be the exclusive method of enforcing such collec-

tions and the Commission is fully empowered to enforce the collection of any such charges in any other lawful manner in all or any part of the District."

SECTION 5. Act 443 of 1949 amended—Section 10 added—enforcement of regulations.—Act No. 443 of the Acts of 1949 is amended by adding a new section to be Section 10 as follows:

"Section 10. Paragraph 19 of Section 4 of this act authorizes the Commission in the interest of the health of the District to adopt regulations requiring the use of its sewer system and regulations generally with respect to the discharge of sewage and the use of privies, septic tanks and other sewage facilities in the District. The Commission is expressly authorized to apply to any court of general jurisdiction for the enforcement of any such regulations through the means of mandatory injunction or other remedial process; *provided,* such regulation has been duly adopted in the fashion prescribed by paragraph 19 of Section 4 of this act."

SECTION 6. Act 443 of 1949 amended—Section 11 added—front foot assessments.—Act No. 443 of the Acts of 1949 is amended by adding a new section to be Section 11 as follows:

"Section 11. (1) The Commission is hereby empowered to provide by resolution that the actual cost of the establishment and construction of any lateral collection sewer lines constructed by the Commission within the District and any extensions thereof, or so much of the actual cost thereof as the Commission in its discretion deems appropriate, shall be assessed upon the lots and parcels of land abutting directly on such lateral lines or extensions thereof according to the extent of the respective frontage thereon, by an equal rate per foot of such frontage, and may in its discretion provide in the case of corner lots, for an assessment only upon one of the two corner lines. The Commission may provide in such resolution that the front foot assessments to be levied in connection with such work may be paid in equal installments covering a period of not exceeding ten years. The resolution providing for such front foot assessments shall designate by a general description the improvement to be made and the street or streets or parts thereof whereon the work is to be effected and the estimated cost thereof and the amount of the cost to be assessed upon all abutting property and the terms and manner of payment. Such resolution shall not become effective until at least seven days after it shall have been published in a newspaper of general

circulation in the District published in Charleston County. Such resolution may incorporate by reference plats and engineering reports and other data on file in the Commission's office provided that the place of filing and reasonable hours for inspection by interested persons are specified in the resolution.

(2) Upon the completion of the construction of any such sewer laterals or any extensions thereof the Commission shall compute and ascertain the total cost thereof and shall thereupon make an assessment of such total cost or so much thereof as it deems appropriate. For that purpose the Commission shall make out an assessment roll in which must be entered the names of the persons assessed and the amount assessed against their respective properties with a brief description of the lots or parcels of land assessed.

(3) Immediately after such assessment roll has been completed the Commission shall forthwith cause one copy thereof to be deposited in the Commission's office for inspection by interested parties, and shall cause to be published at least once in a newspaper of general circulation within the District a notice of completion of the assessment roll setting forth a description in general terms of the improvement and the time fixed for the meeting of the Commission for a hearing of objections in respect of the front foot assessments; such meeting not to be earlier than ten days from the date of the publication of such notice.

(4) As soon as practicable after the completion of the assessment roll and prior to the publication of the notice above-mentioned in paragraph (3) the Commission shall mail to the owner of each lot or parcel of land against which a front foot assessment is to be levied at his address appearing in the records of the county treasurer, a notice stating the nature of the improvement, the total cost thereof, the amount to be assessed against that particular property and the frontage in feet upon which the front foot assessment is based, together with the terms and conditions upon which the front foot assessment may be paid. This notice shall also contain a brief description of the particular property involved together with a statement that the amount assessed shall constitute a lien against the property superior to all other liens except property taxes. The notice shall also state the time and place fixed for the meeting of the Commission above-mentioned for a hearing of objections in respect of the front foot assessments. Any property owner who fails, not later than three days prior to the date set for such meeting, to file with the Commis-

sion a written objection to the front foot assessment against his property shall be deemed to have waived all rights to object to such front foot assessment; and the notice prescribed herein shall so state.

(5) At the time and place specified for the meeting above-mentioned, or at some other time to which it may adjourn, the Commission shall hear the objections of all persons who have filed written notice of objection within the time prescribed above who may appear and make proof in relation thereto either in person or by their attorney. The Commission may thereupon make such corrections in the assessment roll as it may deem proper or may confirm the same, or may set it aside and provide for a new assessment. Whenever the Commission shall confirm an assessment roll, either as originally prepared or as thereafter corrected, a copy thereof certified by the Secretary of the Commission shall forthwith be filed in the office of the Clerk of Court of Common Pleas of Charleston County and from the time of such filing the front foot assessments impressed in the assessment roll shall constitute and be a lien on the real property against which the same are assessed superior to all other liens and encumbrances except only the lien for property taxes.

(6) After the assessment roll has been confirmed a certified copy thereof shall be delivered to the Treasurer of Charleston County who shall proceed to collect the same in the manner of county taxes and shall remit such collections upon the direction of the Commission. Past due front foot assessments shall be turned over by the treasurer to the Charleston County Sheriff who shall proceed to collect them in the same manner as unpaid county taxes are collected.

(7) Immediately upon the confirmation of an assessment the Commission shall give written notice by mailing to the last known address according to the records of the Commission to all persons who have filed written objections as provided of the amount of the front foot assessment finally confirmed against his property. If any such person is dissatisfied with the amount of the front foot assessment so confirmed and shall within ten days after the confirmation give written notice to the Commission of his intent to do so, he may appeal his front foot assessment to the Charleston County Court and shall within five days after giving such notice serve upon the Commission a statement of facts upon which he bases his appeal; but no such appeal shall delay or stop the improvements or affect the validity of the front foot assessments confirmed and not appealed. The appeal shall be tried at

the next term of court as other actions at law with priority over all other cases.

(8) The Commission may correct, cancel or remit any such front foot assessment and may remit, cancel or adjust the interest or penalties of any such front foot assessment and is empowered when in its judgment there is any irregularity, omission, error or lack of jurisdiction in any of the proceedings relating thereto set aside the whole of any assessment made by it and thereupon to make a reassessment.

(9) In the event the Commission provides that such front foot assessments may be paid in equal annual installments, then in that event any property owner shall have the option and privilege of paying his respective front foot assessments in full in cash provided he gives notice of his intent to do so in writing to the Commission within thirty days after the notice prescribed in paragraph (4). If no such notice of intent is given within the thirty day period the front foot assessment shall be deemed to be due and payable in the equal annual installments prescribed by the Commission and shall bear interest at the rate of four per cent per annum from the date of the confirmation of the assessment roll, payable with such annual installment. Any property owner shall have the right at any time in his option to prepay in full the front foot assessment against his property by the payment of the balance due plus interest calculated to the date of prepayment. If any property owner shall fail or neglect to pay any installment when it becomes due and payable, then and in that event the Commission may, at its option, declare all of the installments remaining unpaid at once due and payable and such property shall be sold by the Charleston County Sheriff in the same manner and with the same right of redemption as are prescribed by law for the sale of land for unpaid county taxes."

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 5th day of May, 1965.

(R356, H1545)

No. 538

An Act To Amend Section 5 Of Act No. 521 Of 1957, As Amended, Relating To The North Charleston Consolidated Public Service District, So As To Empower The District To Prescribe Certain Additional Regulations.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 5 of Act 521 of 1957 amended—Paragraph (31) added—powers further.—Section 5 of Act No. 521 of 1957, as amended, is further amended by adding Paragraph (31) to read as follows:

"(31) To prescribe and enforce regulations generally with respect to the discharge of sewage and the use of privies, septic tanks and any other type of sewage facilities within the District. Any such regulations shall become effective only after they have been adopted pursuant to the procedure outlined in Paragraph (6) of this section."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 5th day of May, 1965.

(R554, H1749)

No. 539

An Act To Amend An Act Of 1965 Bearing Ratification No. 353, Relating To The St. Andrews Public Service District, Charleston County, So As To Change The Date Of An Act From 1957 To 1949.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 4 of Act 537 of 1965 amended—Section 9 added—unpaid charges to constitute lien.—Section 4 of an Act of 1965 bearing Ratification No. 353 is amended on line one by striking "1957" and inserting "1949". The section when amended shall read as follows:

"Section 4. Act No. 443 of the Acts of 1949 is amended by adding a new section to be Section 9 as follows:

'Section 9. If the notice or notices prescribed by paragraph 18 of Section 4 of this act shall have been given and any hearing requested

pursuant thereto shall have been held, all sewer charges and other charges imposed by the Commission following that procedure under authority of this act and not paid when due and payable shall be and constitute a lien upon the real estate to which the sewage service concerned relates so long as the sewer charges remain unpaid. In addition to such other rights and remedies as may be available to the Commission in law or in equity for the collection of the sewer charges, the lien may be enforced by the Commission in the same manner and fashion as the lien of property taxes on real estate. The lien herein provided shall be superior to all other liens except lien for unpaid property taxes.

The method provided in this act for the enforcement of the collection of past due sewer charges by creating them liens against real property shall not be the exclusive method of enforcing such collections and the Commission is fully empowered to enforce the collection of any such charges in any other lawful manner in all or any part of the District.' "

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R591, H1766)

No. 540

An Act To Authorize The County Council Of Charleston County To Issue General Obligation Notes Of The County For Technical Education In The Sum Of Ninety-Five Thousand Dollars And To Provide For The Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds by Act No. 467 of 1963 that the County Council of Charleston County was authorized to issue not exceeding three hundred eighty-five thousand dollars of general obligation bonds of the county to defray its share of the cost of constructing and equipping suitable facilities with which to implement within Charleston, Dorchester and Berkeley Counties the technical training program instituted by Article 7, Chapter 15, Title 21, Code of Laws of South Carolina, 1962, under the supervision of the Area Commission for the

Berkeley-Charleston-Dorchester Technical Education Center (the Area Commission). The bonds have been issued and the proceeds thereof, together with funds provided by each of Berkeley and Dorchester Counties, used to defray the cost of constructing the facilities on property of the Area Commission in Charleston County and the program has been successfully instituted. After due investigation, the General Assembly finds that the facilities must be expanded in order to meet the demand being made upon them and to that end has determined to empower the County Council, the governing agency of Charleston County, to issue general obligation notes of Charleston County, to the extent herein provided in order to provide Charleston County's share of the funds required for such expansion.

SECTION 2. Notes may be issued.—In order to provide funds to be expended by the Area Commission for the expansion and improvement of the facilities, the County Council is hereby authorized and empowered to issue and sell general obligation notes of Charleston County in an aggregate principal amount not exceeding ninety-five thousand dollars.

SECTION 3. Form—dates—maturity.—The notes shall be of such tenor, form and denomination, and shall bear such date, as County Council shall determine, and may be in the form of a single fully registered note. The indebtedness evidenced thereby shall be repayable on such occasions as County Council shall prescribe, except that the last maturing instalment thereof shall mature not later than ten years after the date of the notes.

SECTION 4. Redemption.—The notes issued pursuant to this act may be issued with a provision for their redemption prior to their stated maturities at par and accrued interest, plus such redemption premium as may be prescribed by County Council, but no note or any part thereof shall be redeemable before maturity unless it contains a statement to that effect. If notes are made subject to redemption, provision shall be made in the proceedings authorizing the issuance of the notes, specifying the manner of call and the notice thereof that must be given.

SECTION 5. Where payable.—The notes issued pursuant to this act shall be made payable at such places, within or without the State, as County Council shall provide.

SECTION 6. Interest.—Notes issued pursuant to this act shall bear interest at rates determined by County Council.

SECTION 7. Execution.—The notes issued pursuant to this act shall be executed in the name of Charleston County by the Chairman of County Council and attested by the Treasurer of Charleston County under the Seal of County Council.

SECTION 8. Sale.—Notes issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. The published notice shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 9. Payment.—For the payment of the principal and interest of all notes issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of Charleston County shall be irrevocably pledged, and there shall be levied annually by the Auditor of Charleston County, and collected by the Treasurer of the County, in the same manner as county taxes are levied and collected, a tax without limit on all taxable property in Charleston County, sufficient to pay the principal and interest of such notes as they respectively mature, and to create such sinking fund as may be necessary therefor.

SECTION 10. Exempt from taxes.—The principal and interest of any notes issued pursuant to this act shall have the tax exempt status prescribed by Section 65-4.1, Code of Laws of South Carolina, 1962.

SECTION 11. Proceeds.—The proceeds derived from the sale of any notes issued pursuant to this act shall be paid to the Treasurer of Charleston County, and shall be deposited in a special account and shall be expended and made use of as follows:

(a) Any accrued interest shall be applied to the payment of the first instalment of interest to become due.

(b) Any premium shall be applied to the payment of the first instalment of principal.

(c) The remaining proceeds shall be expended, on the warrant of the Area Commission, to defray the cost of issuing the notes authorized hereby, and to pay the costs incurred in enlarging and improving the facilities described in Section 1.

(d) If any balance remain, it shall be held by the Treasurer of Charleston County in a special fund and used to effect the retirement of notes authorized hereby.

SECTION 12. Powers to be additional.—The powers and authorizations hereby conferred upon the County Council shall be in addition to all other powers and authorizations previously vested therein and may be exercised either independently of or concurrently with comparable action authorized for the governing agencies of Berkeley and Dorchester Counties, who by legislation enacted, or to be enacted, in pari materia have been authorized to provide the respective shares of those counties of the cost of the expansion program contemplated by this act.

The action to be taken by County Council in effecting the issuance of the notes authorized by this act may be taken at any special or any regular meeting of County Council and may be in the form of a resolution to take effect immediately upon its adoption at the meeting at which it is presented, notwithstanding that the procedure herein authorized differs from that prescribed by Sections 14-1167 and 14-1168, Code of Laws of South Carolina, 1962.

SECTION 13. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R646, H1845)

No. 541

An Act To Authorize The Sullivan's Island Township Commissioners In Charleston County To Issue Not Exceeding One Million Dollars General Obligation Bonds For Sewage Facilities And To Provide For An Election.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that the Township of Sullivans Island in Charleston County (the township), was created by Act No. 140 of 1906, and the Board of Township Commissioners for Sullivans Island (the commissioners) was established as its governing body.

The commissioners, pursuant to statutory authorization, constructed a municipal water system for the township in about the year 1932, and have since that time operated it.

During the year 1948 the commissioners acquired from the United States of America certain property lying at the western end of the

township in which a sewage collection and disposal system had been installed, consisting of sewer collection lines and a chlorine treatment outfall emptying into the tidal waters of Charleston Harbor. The commissioners have subsequently improved and enlarged the sewage collection system and at the present time it serves approximately 225 out of the 1100 lots within the township. The sewer system belongs to the township and is operated by the commissioners.

Act No. 132 of 1963 makes it unlawful after July 1, 1970, for any person or governmental entity to dump untreated sewage into the tidal waters of Charleston Harbor and the treatment presently being afforded by the township's treatment facility has been found to be entirely inadequate to comply with the provisions of this law.

In that portion of Sullivans Island where sewage collection facilities are not available septic tanks are generally being used, but a drainage problem throughout this area renders septic tanks in many cases unsatisfactory and creates a public health menace within the township.

In order to alleviate the public health menace resulting from the use of septic tanks, the commissioners have employed engineers to make recommendations for the collection of sewage throughout the township and the method of treating and disposing of the same. On the basis of the studies and recommendations of these engineers, the commissioners have concluded that the most satisfactory method of solving the sewer problems of the township is through the installation of sewer collection lines throughout the presently unsewered portion of the township and construction of a treatment plant or plants adequate to treat all sewage collected within the township. Based on the estimates of the engineers, it appears that, in addition to Federal grants which may be available, the township will need to raise one million dollars in order to defray the cost of constructing the proposed sewage collection, treatment and disposal facilities.

The General Assembly has, therefore, determined to empower the commissioners to issue one million dollars of general obligation bonds of the township in order to obtain funds to defray the costs of constructing such facilities upon the favorable vote of the qualified electors of the township and, in addition, to authorize the commissioners: (1) to establish and enforce a schedule of sewage service charges; (2) to adopt and enforce regulations requiring all those to whom it is available to connect to the township's sewer system; (3) to adopt regulations generally with regard to the operation of privies, septic tanks or other private sewage facilities within the township; and (4) to

impose front foot assessments against properties abutting on the proposed sewer laterals.

SECTION 2. Bonds may be issued if election favorable.—Upon the favorable result of the election hereinafter prescribed and in order to obtain funds to be used for the purpose of constructing sewage collection, treatment and disposal facilities for the township, the commissioners are hereby authorized to issue, either as a single issue, or from time to time as several separate issues, not exceeding one million dollars of general obligation bonds of the township.

SECTION 3. Denominations—maturity—interest—redemption.—The bonds shall be in such denomination and shall bear such date as the commission shall determine and any issue or series thereof shall mature in such equal or unequal annual installments as may be determined by the commissioners, except that the first maturing bonds of any issue or series shall mature not later than five years from their date of issue and the last maturing bonds of any issue or series shall mature not later than forty years from their date of issue. Bonds shall be made payable at such place or places as the commissioners shall prescribe, either within or without the State, and shall bear such rate or rates of interest, and be payable on such occasions, as the commissioners may determine. The bonds may be issued with the privilege to the holder of having them registered as to principal at the office of the Treasurer of Charleston County and the principal thus made payable to the registered holder, unless the last registered transfer shall have been to bearer, upon such conditions as the commissioners may prescribe. Any bond issued pursuant to the provisions of this act may be made subject to redemption prior to its stated maturity on such terms and conditions and with such redemption premium as the commissioners shall prescribe.

SECTION 4. Sale.—All bonds issued pursunt to this act shall be sold at not less than par and accrued interest to the date of their respective deliveries and shall be sold at public sale, after not less than ten days' notice of the sale shall be given by publication in a newspaper of general circulation in South Carolina.

SECTION 5. Exempt from taxes.—The principal and interest of all bonds issued pursuant to this act shall have the tax-exempt status prescribed by Section 65-4.1 of the Code of 1962.

SECTION 6. Manner of issuance.—The bonds and the coupons attached thereto shall be issued in such fashion as the commissioners may provide.

SECTION 7. Payment.—For the payment of the bonds, both principal and interest as they respectively mature, the full faith, credit, resources and taxing power of the Township of Sullivans Island shall be pledged and there shall be levied and collected by the Auditor and Treasurer of Charleston County, respectively, an ad valorem tax upon all taxable property in the township, without limitation as to rate or amount, sufficient to pay the principal of and interest on the bonds as they respectively mature, and create such sinking fund as may be necessary therefor; *provided,* however, that the annual ad valorem tax levy prescribed by the foregoing provisions of this section may be reduced to the extent that there is on deposit with the Treasurer of Charleston County, on the occasion of the imposition of the annual ad valorem tax levy, monies derived from front foot assessments or sewer service charges imposed by the commissioners pursuant to the authorizations hereinafter set forth and available for debt service on the bonds for which the ad valorem tax levy is to be imposed. If the ad valorem tax levy is so reduced, the monies on deposit with the county treasurer from the front foot assessments or sewer service charges shall be held by the county treasurer in a special fund and used for the payment of the principal and interest on the bonds and for no other purpose. The taxes when so levied and collected shall be held by the county treasurer separate and distinct from all other funds and used solely for the purposes for which levied and collected under the terms of this act.

SECTION 8. Proceeds.—The proceeds derived from the sale of these bonds shall be deposited with the county treasurer in a special fund separate and distinct from all other funds and shall be expended upon order of the commission for the following purposes and for no other:

(1) The accrued interest, if any, shall be applied to meet the first installment of interest to become due on the bonds.

(2) The premium received, if any, shall be applied to the payment of the first installment of principal to become due.

(3) The remaining proceeds, after the payment of all costs and expenses incident to the issuance of the bonds, shall be applied to defray the cost of constructing a sewage collection, treatment and dis-

posal facility for the township; *provided,* that the purchaser shall not be responsible for the proper application of the proceeds.

Provided, further, that pending the use of the proceeds of the bonds to meet the costs to be incurred in constructing sewage collection, treatment and disposal facilities in the township, the proceeds of the bonds shall, at the direction of the commission and to the extent prescribed by the commission, be invested and reinvested in obligations of the United States, or the agencies thereof, having a stated maturity of not exceeding twelve months from the date of any such investment. The commission may employ the services of the trust department of any bank having an office in Charleston County to assist it in effecting such investments and, if such action shall be taken by the commission, the Treasurer of Charleston County shall, on the order of the commission, deliver to such bank the proceeds of the bonds, to the extent ordered by the commission.

All income realized from such investments, after meeting any costs incident thereto, shall be from time to time turned over to the Treasurer of Charleston County and by him applied to the payment of interest to become due on the bonds, but the provisions hereof shall in no way limit or impair the directive of this act made by Section 7, requiring the Auditor and Treasurer of Charleston County to levy and collect sufficient taxes to meet the payment of the principal and interest of the bonds as they respectively mature, and any reduction in the tax levy resulting from income so received shall take place only after the actual receipt by the treasurer of the proceeds of such investment income. Whenever investments made as herein authorized shall be reconverted into cash, the principal proceeds of any such investments shall be returned to the Treasurer of Charleston County and by him applied in accordance with the provisions of this subsection.

SECTION 9. Powers.—The commissioners are hereby authorized and empowered to exercise all of the powers given to the governing bodies of special purpose districts operating sewer systems under the provisions of an Act of 1965, bearing Ratification No. 578, and approved June 8, 1965, to the end that the commissioners may exercise with respect to the township the same powers in the same fashion and to the same extent that commissions can exercise under the terms of the act with respect to public service districts.

SECTION 10. Powers to be additional.—The power and authority hereby conferred upon the commissioners shall be in addition to all

presently existing power and authority and not in abrogation thereof and the bonds herein authorized can be issued without the approval of any other agency or commission and at any regular or special meeting of the commissioners.

SECTION 11. Election—conduct of.—The commissioners are empowered to make provision for the holding of a special election in the township, on a date fixed by the commission, at which time there shall be submitted to the qualified electors of the township the question of issuing general obligation bonds of the township for the purposes of Section 2 of this act. The election shall be conducted by the Commissioners of Election for Charleston County, who shall give notice thereof by publication once each week for three successive weeks prior thereto, in one or more newspapers with general circulation in the township, stating the question to be submitted at the election and specifying the amount in dollars of the bonds proposed to be issued. The election shall be conducted in the precinct of the township as the same is now established by law, and at the regular voting place therein. The question submitted shall be substantially in the following form:

"Shall the Township of Sullivans Island issue general obligation bonds in a sum not exceeding one million dollars, whose proceeds shall be used for sewage collection, treatment and disposal facilities for the Township?

YES
NO"

The ballot shall contain suitable instructions, advising the voter that if he favors the issuance of bonds he shall erase or strike through the word "NO" and that if he is opposed to the issuance of bonds, he shall erase or strike through the word "YES". The managers of election at the precinct shall count the ballots and forthwith return the result of the election, together with the original ballots and tally sheets, to the Commissioners of Election for Charleston County, who shall declare the result of the election. If the commissioners of election determine that a majority of the voters voting in the election voted in favor of the issuance of bonds, the bonds, or any part thereof, may be issued as provided in this act. Save and except as herein provided, the election shall be conducted in accordance with the provisions of the South Carolina Election Law.

SECTION 12. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of June, 1965.

(R683, H1823)

No. 542

A Joint Resolution To Create A Committee To Study Local Government In Charleston County And To Prescribe Its Functions.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Committee created to study local government in Charleston County.—There is hereby created a committee to study local government in Charleston County. The committee shall consist of eight members, appointed by the Governor, as follows: four members shall be appointed upon recommendation of the Senator and a majority of the Charleston County Legislative Delegation, and four members shall be appointed upon recommendation of a majority of the Charleston County Council including the Chairman. Any vacancy shall be filled in the same manner as the original appointment. The committee shall organize as soon after its appointment as may be practicable and shall elect one of its members as chairman and one as secretary. The committee shall meet thereafter upon call of the chairman or upon the written request of at least three members. Four members shall constitute a quorum for the transaction of business.

SECTION 2. Duties.—Immediately upon its appointment the committee shall proceed to institute a complete study of (a) all forms of local government, including school districts and public service districts, existing in Charleston County; (b) the functions and duties of each governmental entity and each county office; (c) the fiscal operation of each governmental entity and each county office; and (d) the inter-relation of such governmental entities and county offices. In conducting its study the committee shall proceed in the manner which it deems most advisable, shall employ such personnel as county council shall provide funds for, and shall be given full access of all county records upon reasonable notice.

SECTION 3. May employ outside help.—The committee may, with the approval of the Charleston County Council, employ a firm

with a national reputation in the field of the study of local government to assist it.

SECTION 4. Funds.—The Charleston County Council shall provide such sums as it shall deem appropriate to be used by the committee with the approval of the county council.

SECTION 5. Report.—The committee shall report to the county council and to the county legislative delegation not later than December 31, 1966 as to its findings and recommendations for the improvement of local government in Charleston County.

SECTION 6. Expiration date.—The committee shall cease to exist on December 31, 1966 and the terms of all members shall thereupon expire unless extended by legislative enactment.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R702, S410)

No. 543

An Act Removing From The State Highway System And Authorizing The Closing Of A Portion Of Riverland Drive In Charleston County And The Retention Of Drainage Ditches Paralleling The Closed Road.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Portion of Riverland Drive in Charleston County closed.—That portion of Riverland Drive from Wappoo Hall Road to the end of the street at the cut, a distance of approximately three hundred feet, in Charleston County is hereby removed from the State Highway system and the County Council of Charleston County is authorized to close that portion so removed and retain the right of use of two drainage ditches parallel to that portion of the road so closed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R512, S263) **No. 544**

An Act To Authorize The County Board Of Commissioners Of Cherokee County To Retain An Architect Or Engineer To Determine The Feasibility Of Renovating The County Jail, The County Courthouse And Agriculture Buildings; To Authorize The Board And The City Council Of Gaffney To Enter Into An Agreement Regarding A Combined Jail And Office Building; And To Provide For An Appropriation.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Cherokee County to retain architect or engineer to make study concerning renovation of certain buildings.—(a) The County Board of Commissioners of Cherokee County is hereby authorized to employ an architect or an engineer or both, for the purpose of making a study and survey of the present condition of the county jail, the agricultural building and the County Courthouse and the uses being made of the space in each of these buildings. A detailed report in writing of the study and survey, together with recommendations, shall be filed with the Clerk of the County Board of Commissioners and a copy shall be filed for public record in the office of the Clerk of Court. A certified copy of the report shall also be forwarded immediately upon filing to each member of the county legislative delegation.

After review of the report and recommendations, the County Board of Commissioners may authorize the preparation of plans for the renovation of one or more of the existing buildings, if determined to be feasible, and for the construction of a new building to be located on the site of the present county jail. Any plans for a new building shall provide for connection to the present County Courthouse in a suitable manner for access to each. If the County Board determines that a new building should be constructed, and an agreement is reached between the City Council of Gaffney and the board for a joint jail facility, as hereinafter authorized, the plans for such building shall include provisions for joint city-county use under such agreement.

(b) The study and survey herein provided shall also include the present Cherokee County Courthouse with particular regard to the present uses being made of the spaces by the various agencies. The study shall contain specific recommendations for elimination of congested conditions such as exist in the office of the clerk of court and

in other departments as well. The study and survey shall contain recommendations as to which agencies should remain in the present courthouse and which should be housed elsewhere. A specific study shall be made relative to heating and air conditioning the present county courthouse as well as any new facility. Detailed recommendations likewise shall be made as to the future expansion and use of all the facilities mentioned herein.

SECTION 2. Agreement concerning new building.—The Board and the City Council of Gaffney are authorized to enter into an agreement under such terms and conditions as may be mutually satisfactory to provide for a combined city-county jail and office building if the Board determines that a new building is required.

SECTION 3. Notification of decision—cost estimates—contracts.—The Board shall notify the county legislative delegation of its decision and shall furnish the delegation with the cost estimates of the renovation or of the new building so that adequate financing may be provided for. The Clerk of the County Board of Commissioners shall also forward to each member of the county legislative delegation, immediately when such contract is entered into, an exact copy of any and all contracts of employment with any architect or engineer, together with an exact copy of the minutes of the board, authorizing such contract of employment.

SECTION 4. Appropriation.—There is hereby appropriated the sum of ten thousand dollars, if so much be necessary, to defray the expense of retaining such architect or engineer, or both.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R713, H1663)

No. 545

An Act To Provide For The Levying Of Taxes For School And County Purposes For The Year 1965; To Direct The Expenditure Thereof; To Otherwise Provide For The Administration Of The Business Of Cherokee County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. A tax of sixteen mills is hereby levied upon all the taxable property in Cherokee County for county purposes for the fiscal year beginning January 1, 1965, and the amounts and purposes hereinafter stated:

Item 1.	Roads, Bridges and Chain Gang:	
(a)	Food for prisoners	$ 17,000.00
(b)	Supplies, including new equipment and deficit from 1964 operations	80,300.00
(c)	Salaries for personnel to be employed by the Supervisor:	
	Captain of the Guards	4,500.00
	Mechanic	4,800.00
	14 Guards, Foreman and machine operators @ $325.00 per month each	54,600.00
	Supply Clerk @ $325.00 per month	3,900.00
	Total, Item 1	$165,100.00
Item 2.	Law Enforcement Officers:	
	Salaries:	
(a)	Sheriff	$ 6,600.00
(aa)	Official expense	1,200.00
(b)	Deputy Sheriffs, nine @ $375.00 per month. *Provided,* that each Deputy Sheriff shall be allowed one day in six off duty. This shall not be cumulative and may not be allowed if in the judgment of the Sheriff the law enforcement needs of the department require otherwise.	40,500.00
(c)	Jailer @ $300.00 per month	3,600.00
(d)	Jail expenses, including dieting of prisoners at $1.35 per full day, or 45¢ per meal each. *Provided,* that in support of all payments made from the above appropriation for dieting, the sheriff shall file with the county board of commissioners a statement showing (a) the name of the prisoner, (b) the arresting officer, (c) the hour of admittance and discharge, and (d) the meals served to each prisoner for which payment is claimed.	9,000.00

(e) Operation of Cars 6,000.00
Provided, all purchases of supplies are to be from the lowest bidder.

(f) Radio maintenance and repairs 200.00

(g) For exchange of two cars for sheriff's department 3,500.00

(h) Uniforms for deputies and constables not to exceed $150.00 each 1,500.00

(i) Magistrates

1. Magistrate with jurisdiction in Cherokee Township (presently held by Ralph Hardin) 3,600.00

2. Magistrate with jurisdiction in Draytonville, Limestone, Gowdeysville, Morgan and White Plains Townships, hereby designated as the upstairs courthouse office (presently held by Kyle Vinesett) 4,410.00

3. Magistrate with countywide jurisdiction hereby designated as downstairs courthouse office (presently held by I. B. Kendrick) 5,000.00

(j) County Constable 4,500.00
Provided, this job shall be filled by the disabled Deputy Sheriff of Cherokee County. *Provided,* further, the duties heretofore rendered by the office of the Sheriff of Cherokee County in serving legal process and other civil papers shall devolve upon this employee and he is officially designated as the process server for Cherokee County in civil matters, including courts of magistrate. He shall collect the same fees as are now collected by the office of Sheriff and these fees, along with an itemized report of all papers served, shall be remitted to the Treasurer of Cherokee County each month and a copy of the report shall be filed in the office of the Clerk of Court for Cherokee County. The constable shall be paid travel expense at the prevailing rate of mileage allowed by the State for each mile of necessary travel in serving papers. *Provided,* further, that should the constable be unable to serve all papers expedi-

tiously, the Sheriff of Cherokee County shall render such aid as the constable may require.

	Total, Item 2	$ 89,610.00
Item 3.	Other County Officers:	
	(a) Auditor	$ 2,500.00
	(b) Clerical help for Auditor	3,300.00
	(c) Additional help for Auditor	1,250.00
	(d) Treasurer	2,500.00
	(e) Assistant Treasurer	3,300.00
	(f) Additional help to Treasurer	1,250.00
	(g) Superintendent of Education	1,475.00
	(h) Clerical help to Superintendent of Education	3,300.00
	(i) Attendance Teacher, to buy clothes for needy children	3,000.00
	Provided, that the total salary of the Auditor, Treasurer and Superintendent of Education shall not exceed $6,600.00.	
	(j) Supervisor	6,600.00
	(jj) Official expense	1,200.00
	(k) County Commissioners, eight @ $600.00 annually each	4,800.00
	(l) Clerk, County Board of Commissioners	4,500.00
	(m) Superintendent Courthouse @ $220.00 per month	2,640.00
	(n) Superintendent Agricultural Building @ $220.00 per month	2,640.00
	Provided, that the County Board of Commissioners shall, upon request of the Superintendent of the County Courthouse, or the Superintendent of the Agricultural Building, furnish them with sufficient convict labor about the premises.	
	(o) Clerk of Court	6,600.00
	(p) Deputy Clerk of Court	3,300.00
	(q) Clerical help for Clerk of Court	3,300.00
	(r) Probate Judge	6,600.00
	(s) Clerical help for Probate Judge	3,300.00
	(t) County Attorney	1,200.00
	(u) County audit	1,500.00
	(v) Coroner	1,320.00

(w)	Stenographer for Coroner	300.00
(x)	Delinquent Tax Collector	1,800.00
(y)	Clerk for Delinquent Tax Collector	3,300.00
(z)	Board of Assessors and Equalization	3,000.00
(aa)	Jurors and witnesses	12,000.00
	Total, Item 3	$ 91,775.00

Item 4. County Health Department:

(a)	Salaries, travel & clinic fees	$ 6,600.00
(b)	Medical drugs	800.00
(c)	T.B. Nurse	1,800.00
(d)	Office supplies and contingencies	1,200.00
(e)	Building and maintenance	2,000.00
(f)	Three truck drivers @ $325.00 per month each	11,700.00
(g)	Truck maintenance	2,050.00

Provided, that the garbage disposal area shall be under the supervision of the County Health Officer and the cost of maintaining such area shall be borne equally by the City of Gaffney and County. *Provided,* further, that the whole budget of the Department shall be subject to the approval of a majority of the county legislative delegation, including the Senator.

	Total, Item 4	$ 26,150.00

Item 5. Public Buildings:

(a)	Water and lights	$ 2,150.00
(b)	Telephone and telegraph	4,000.00
(c)	Fuel	1,500.00
(d)	Superintendent's supplies	1,825.00
(e)	Printing, postage, stationery and office equipment	9,500.00
(f)	Insurance and premiums on bonds of county officers	3,500.00
	Total, Item 5	$ 22,475.00

Item 6. Hospital, Public Welfare, Charities, Contributions and Miscellaneous:

(a)	Hospital, nurses training and contingent fund	$ 30,000.00

	Provided, that the expenditures from this appropriation shall be with the approval of the legislative delegation.	
(b)	Lunacies and post mortems	900.00
(c)	Vital Statistics	410.00
(d)	State or National Guard Service Company A *Provided,* that these funds shall be used for Armory or training purposes only.	1,000.00
(e)	State or National Guard Service Company C *Provided,* that these funds shall be used for Armory or training purposes only.	1,000.00
(f)	Department of Public Welfare	2,500.00
(g)	Civil Air Patrol	500.00
(h)	Cherokee County Rescue Squad *Provided,* that these funds shall be used for training purposes or purchase of rescue equipment.	200.00
(i)	To provide textbooks free for the school children of Cherokee County	35,000.00
	Total, Item 6	$ 71,510.00
Item 7. (a)	Library	$ 13,618.50
(b)	Board of Education for school lunch	10,000.00
(c)	Contingent Fund, Board of Education	8,000.00
(d)	Deficit lunchroom operation, 1964	1,500.87
(e)	Supplemental lunchroom appropriation For payment of mileage, training and salary supplement to secretary of supervisor sufficient for annual salary of $3,300.00.	820.19
	Total, Item 7	$ 33,939.56
Item 8. (a)	County's share of Retirement Fund for county employees	$ 4,358.43
(b)	Social Security	8,092.60
(c)	Peace Officer Retirement	9,690.00
	Total, Item 8	$ 22,141.03
Item 9.	Farm Demonstration:	
(a)	Associate Farm Demonstration Agent, Salary	$ 600.00
(b)	Stenographer, County Extension Office	600.00

(c)	4-H Club Boys	200.00
(d)	4-H Club Girls	200.00
(e)	Demonstration Supplies for Home Demonstration Agent	150.00
(f)	Negro Home Demonstration Agent, Salary and Travel	740.00
(g)	Office rent, fuel and supplies for Negro Home Demonstration Agent	300.00
(h)	Clerical help for Negro Agents	900.00
(i)	Contingents County Agent and Home Agent	75.00
	Total, Item 9	$ 3,765.00
Item 10. (a)	Contingent Fund	40,000.00
	Total, Item 10	$ 40,000.00
Item 11.	Mental Health: For joint participation with Spartanburg and Union Counties in program of mental health, share of Cherokee County in local matching budget (15.9%) July 1, 1965 - June 30, 1966	$ 5,374.31
	Total, Item 11	$ 5,374.31
Item 12.	Thicketty Creek Watershed Conservation District	$ 500.00
	The sum hereby appropriated shall be used for mileage, per diem and other expenses as authorized by law.	
	Total, Item 12	$ 500.00
	GRAND TOTAL	$572,339.90
	Less: Unexpended Balances, 1964:	
	Roads, Bridges, and Chain Gang	$ 22.57
	Law Enforcement Officers	684.49
	Public Buildings	29.15
	Hospital, Public Welfare, Charities, Contributions and Miscellaneous	3,191.31

Contingent Fund	1,570.37
Thicketty Creek Conservation District	500.00
Grand Total, Balances	$ 5,997.89
	$566,342.01
Less: Estimated Revenues other than Taxes:	
Fines and Costs—Magistrates	$ 63,277.40
Fines and Costs—Clerk of Court	12,618.61
Civil Costs—Sheriff—Magistrates and Constables	2,007.40
State Income Tax	50,472.37
Gasoline Taxes	123,200.00
Insurance License Fees from State	21,794.83
Bank Tax from State	5,304.80
Interest	10,314.75
Rent Office Space	2,890.00
Miscellaneous	545.15
Liquor-Beer and Wine Tax	45,747.70
Fees, Costs and Commissions—County Officers	26,858.14
Total, Revenue other than taxes	$365,031.15
Total, Estimated Amount to be raised by taxation	$201,310.86

Provided, that no fund herein appropriated for any one purpose shall be used for any other purpose without the written consent of a majority of the legislative delegation.

SECTION 2. The county treasurer is hereby authorized and directed to pay upon warrants issued by the county board of commissioners the sum of ten thousand dollars from the county's share of the one cent gasoline tax for the purpose of surface-treating roads or streets in and around the towns and populous section of Cherokee County; *provided,* that the grading and preparing of such roads and streets or surface treating shall be done by the city or county road forces under the supervision of a competent engineer and the work shall be done in accordance with the State Highway Department's specifications, and no surface treating shall be done without approval

of the engineer; *provided,* further that the roads and streets to be improved under the terms of this section shall be agreed to, in writing, by a majority of the county delegation.

SECTION 3. The court crier, jury boy and bailiffs in the Circuit Court of Cherokee County shall be paid a per diem of five dollars for the actual number of days served, and the jurors and the members of the board of assessors and the board of equalization shall be paid a per diem of ten dollars for the actual number of days served. The coroner's jurors (6) shall be paid two dollars and fifty cents per inquest.

SECTION 4. The working of the chain gang shall be under the management of the supervisor. The supervisor shall have the exclusive right to employ and discharge all personnel working under his authority including, but not limited to, the captain of the guards, mechanics, guards, foremen and machine operators.

SECTION 5. The clerk of the county board of commissioners shall have authority to make purchases of necessary supplies, not to exceed fifty dollars, without first receiving approval of the county board of commissioners. However, any purchases exceeding fifty dollars must first be approved by the county board of commissioners, and, before being paid, all claims shall be approved by the county board of commissioners.

SECTION 6. The amount herein appropriated shall be paid out as near as practicable one-twelfth each month during the year 1965, and, if any item or salary has been overpaid for any month, such overpayment shall be deducted from the following month. Any note or contract made by any officer of the county or by the board of county commissioners for any amount not included in this appropriation act shall be null and void; any officer or employee who disregards any of the provisions hereof without the written consent of a majority of the Cherokee Delegation to the General Assembly, kept on file in the treasurer's office, shall be guilty of a malfeasance in office and subject to removal. If the county supervisor or the board of commissioners at any time finds that the appropriation or monthly allotment is not sufficient to maintain the maximum chain gang and equipment or road maintenance, then, in that event, they are required to send to the State Penitentiary a sufficient number of long term chain gang prisoners and reduce equipment and other expenses

so that expense will come within the monthly allotment herein provided. All appropriations herein made are subject to the right and authority of the majority of the Cherokee County Delegation to change, alter or deduct therefrom at any time, without notice, when in its judgment such change, alteration or deduction is necessary for the best interest of the county or to conform with the revenue expected during the life of this act. *Provided,* that the changes made by the delegation pursuant to the authority herein conferred shall not operate to increase the total amount herein appropriated.

SECTION 7. The supervisor and the chain gang and employees of Cherokee County are hereby prohibited from doing any private work and spending any money of the county on any private roads or private property.

SECTION 8. The clerk of the county board of commissioners shall, during each month, send to each member of the Cherokee County Delegation an itemized list of all expenditures of the county for the preceding month, and also an itemized list of all obligations incurred and not paid.

SECTION 9. Immediately following each meeting of the county board of commissioners, the clerk of the board shall send each member of the Cherokee County Legislative Delegation a certified copy of the minutes of such meeting.

SECTION 10. The county attorney shall give legal advice to all county officers, including the grand jury, on any subject affecting the official matters of Cherokee County, and the amount herein appropriated shall be in full for all services of the county attorney, except litigated cases brought or defended with the approval of the legislative delegation.

SECTION 11. Whenever references are made in this act to any action of or by the legislative delegation or county delegation, the same means the joint approval, agreement, or order of the Senator and at least one-half of the Representatives of Cherokee County in the General Assembly. In the event, however, of the death, resignation or removal of any one or more of the members of the delegation, the remaining members shall have the right to execute any such approval, agreement or order.

SECTION 12. The supervisor shall employ a supply clerk. His duties shall consist of checking in and out materials and supplies

purchased by the county for chain gang and road building purposes which shall be subject to his inspection at all times, and keeping proper records of such transactions. The supply clerk shall be furnished, by the county board of commissioners, with an office and a building for storage of all such materials and supplies. No warrant for the payment of any such materials and supplies shall be issued until the supply clerk shall certify, in writing, to the receipt of same, and he shall keep proper records to show to which agency of the county such materials and supplies were issued or delivered.

SECTION 13. No long distance telephone calls shall be charged to the county except such as are necessary in performing a public duty in connection with the administration of the affairs of the county, and no claim for any such calls shall be approved or paid unless on a verified itemized claim showing the name of the person making the call, the person to whom the call was made and the date and purpose thereof.

SECTION 14. The Attendance Teacher and the School Lunch Supervisor shall each receive a salary supplement, during the school months, sufficient to make their salaries equal to the salaries they would receive as school teachers with their qualifications. *Provided,* the supplement shall not be less than nine hundred thirty-six dollars per year. The salary of the Clerk to the School Lunch Supervisor and the Secretary of the County Probation and Parole Officer shall be three thousand three hundred dollars each annually. Travel shall be paid at the prevailing rate of mileage allowed by the State. A report of the number of miles traveled on official business shall be submitted monthly to the county board of education for approval, and a warrant of the board shall be issued in payment thereof.

SECTION 15. There may be expended for county purposes during the months of January, February and March of 1966, the amounts authorized herein to be expended for the same months during the year 1965. All such expenditures shall be made from the general fund of the county. This provision is included in this act so that the activities of the county may continue uninterrupted until the appropriation act for the calendar year 1966 is adopted.

SECTION 16. The County Board of Commissioners of Cherokee County may rent office space in the Cherokee County Courthouse and the Cherokee County Agricultural Building for use by persons or organizations in the performance of State or Federal functions. No

office space in such building shall be occupied by any person or organization not using such office space in the performance of State, county or Federal functions. Any person or organization using such office space in performance of a function of the Federal Government shall be charged a reasonable rental, based upon the space occupied and the services provided, as determined by the county board of commissioners.

SECTION 17. The members of the Cherokee County Board of Education, except the ex officio member, and the members of the Board of Trustees of Cherokee County School District No. 1, shall receive per diem of twenty dollars and mileage at the prevailing rate allowed by the State for attendance upon meetings of their respective boards, but the payment of such per diem and mileage shall be limited to not more than two meetings during each month. The per diem and mileage of the members of the board of education provided for in this section shall be paid from the contingent fund of the county board of education and the per diem and mileage of the members of the board of trustees provided for herein shall be paid from the general school funds.

SECTION 18. All persons receiving expense accounts must submit to the clerk of the county board of commissioners an itemized statement of monthly expenses before being compensated for such expenses.

SECTION 19. This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R71, H1183) **No. 546**

An Act To Extend The Season For Hunting Quail In Chester, Lancaster and Fairfield Counties To March 1, 1965.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Quail season extended in Chester, Lancaster and Fairfield Counties.—Notwithstanding any other provisions of law the season for hunting quail in Chester, Lancaster and Fairfield Counties is extended to March 1, 1965 only.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of February, 1965.

(R105, H1218) **No. 547**

An Act To Extend The Season For Hunting Rabbit, Raccoon, Opossum And Squirrel In Chester County To March 1, 1965.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Hunting season in Chester County extended.—Notwithstanding any other provision of law, the season for hunting rabbit, raccoon, opossum and squirrel in Chester County is extended to March first for the year 1965 only.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of February, 1965.

(R290, H1465) **No. 548**

An Act Providing For The Creation Of Watershed Conservation Districts In Chester County, And The Election Of Directors Of Watershed Conservation Districts And Their Powers And Duties; And Providing For A Levy Of Taxes For The Organization And Administration Of Such Districts, And For The Construction, Operation And Maintenance Of Works Of Improvement Within Such Districts.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Definitions.—Whenever used or referred to in this act, unless a different meaning clearly appears from the context:

(1) "Watershed conservation district" means a governmental subdivision of this State, and a public body corporate and politic, organized in accordance with the provisions of this act, for the purposes, with the powers, and subject to the restrictions hereinafter set forth.

(2) "Director" means one of the members of the governing body of a watershed conservation district, elected in accordance with the provisions of this act.

(3) "Supervisor" means one of the members of the governing body of the Chester Soil Conservation District in which any part of a watershed conservation district is situated.

(4) "Petition" means a petition filed under the provisions of Section 4 of this act for the creation of a watershed conservation district.

(5) "County" means Chester County of South Carolina.

(6) "Landowner" or "owner of land" includes any person, firm or corporation who shall hold legal or equitable title to any lands lying within a watershed conservation district organized under the provisions of this act.

(7) "Due notice" means notice published at least twice, with an interval of at least one week between the two publication dates, in a publication of general circulation within the appropriate area, or, if no such publication of general circulation be available, notice posted at a reasonable number of conspicuous places within the appropriate area, such posting to include, where possible, posting at public places where it is customary to post notices concerning county or municipal affairs generally.

SECTION 2. Watershed Conservation Districts may be formed in Chester County.—Authority is hereby granted to form watershed conservation districts within Chester County for the purpose of developing and executing plans and programs relating to any phase of the control and prevention of soil erosion, flood prevention, or the conservation, development, utilization, and disposal of water.

SECTION 3. Area.—The area embraced in a watershed conservation district must be contiguous and must lie within a well-defined watershed; and such area shall not include lands located within the boundary of any incorporated city or town, or lands embraced in another watershed conservation district.

SECTION 4. Petition for formation.—When twenty-five or more landowners within a proposed watershed conservation district, or, if less than fifty landowners are involved, a majority of such landowners, desire to form a watershed conservation district, they shall file a petition with the supervisors of the soil conservation district asking that a watershed conservation district be organized to function in the

area described in the petition. Such petition shall set forth the proposed name of the watershed conservation district; that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory described in the petition; a description of the territory proposed to be organized as a watershed conservation district, which description need not be given by metes and bounds or by legal subdivisions, but shall be deemed sufficient if generally accurate; and the approximate number of acres of land included in the proposed watershed conservation district.

SECTION 5. Hearing on petition.—(1) Within thirty days after such petition has been filed with the supervisors of the soil conservation district, they shall cause due notice to be given of a hearing upon the question of the desirability and necessity, in the interest of the public health, safety, and welfare, of the creation of such watershed conservation district. All interested parties shall have the right to attend such hearing and to be heard. If it shall appear at the hearing that other lands should be included in the petition or that lands included in the petition should be excluded, the supervisors shall permit such inclusion or exclusion, provided the land area involved still meets the requirements of Section 3 of this act.

(2) If it appears upon the hearing that it may be desirable to include within the proposed watershed conservation district territory outside of the area within which due notice of the hearing has been given, the hearing shall be adjourned and due notice of a further hearing shall be given throughout the entire area considered for inclusion in the proposed watershed conservation district, and such further hearing shall be held. After final hearing, if the supervisors of the soil conservation district determine, upon the facts presented at the hearing and upon other available information, that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory considered at the hearing, they shall make and record such determination, and shall define the area, but the description need not be given by metes and bounds. The description shall be deemed sufficient if generally accurate and the approximate number of acres of land included in the proposed watershed conservation district is shown.

(3) If the supervisors of the soil conservation district determine after such hearing that there is no need for a watershed conservation district to function in the territory considered at the hearing, they shall make and record such determination and shall deny the petition.

SECTION 6. Referendum.—After the supervisors of the soil conservation district have made and recorded a determination that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory considered at the hearing, and have defined the boundaries thereof, they shall consider the question whether the operation of a watershed conservation district within the proposed boundaries with the powers conferred upon it by this act is administratively practicable and feasible. To assist the supervisors in making this determination, they shall, within a reasonable time after the entry of a finding that there is need for the organization of a watershed conservation district and the determination of the boundaries thereof, hold a referendum within the proposed watershed conservation district upon the proposition of the creation of the watershed conservation district. Due notice of the referendum shall be given by the supervisors. Such notice shall state the date of holding the referendum, the hours of opening and closing the polls, and shall designate one or more places within the proposed watershed conservation district as polling places and shall give notice that the directors shall have the power of eminent domain. The supervisors shall have full charge of the referendum and shall have suitable ballots printed and furnished to each polling place; appoint necessary box managers and other referendum officials, and shall canvass the ballots and announce the results. The cost of holding the referendum shall be paid from the general fund of Chester County. *Provided,* that notwithstanding any provision of law to the contrary the power of eminent domain shall not be exercised over the protest of any landowner until it is conclusively established that the land proposed to be condemned is absolutely essential to the creation and operation of the watershed conservation district.

SECTION 7. Question.—The question to be voted on shall be submitted by ballots upon which appear the words:

"For creation of ———— Watershed Conservation District"
"Against creation of ———— Watershed Conservation District"

A square shall follow each proposition. The ballot shall contain a direction to insert an "X" mark in the square following one or the other of the propositions as the voter may favor or oppose creation of the watershed conservation district. The ballot shall set forth the boundaries of the proposed watershed conservation district as determined by the supervisors of the soil conservation district. No one except owners of lands lying within the boundaries of the proposed watershed conser-

vation district, as determined by the supervisors of the soil conservation district, shall be eligible to vote in the referendum. Qualified voters may vote by absentee ballot in the referendum under such rules and regulations as may be prescribed by the supervisors. No informalities in the conduct of the referendum or in any matters relating thereto shall invalidate the referendum or the result thereof if notice of the referendum shall have been given substantially as herein provided and the referendum shall have been fairly conducted.

SECTION 8. Results—district to be created if results and determination favorable.—The votes shall be counted by the referendum officials at the close of the polls and a report of the results along with the ballots shall be delivered and certified to the supervisors of the soil conservation district; and thereafter the supervisors shall determine whether the operation of the watershed conservation district within the defined boundaries is administratively practicable and feasible. If the supervisors determine that the operation of such district is not administratively practicable and feasible, they shall record such determination and deny the petition. If the supervisors determine that the operation of such district is administratively practicable and feasible, they shall record such determination and shall proceed with the organization of such district in the manner hereinafter set forth; *provided*, however, that the supervisors shall not have authority to determine that the operation of such district is administratively practicable and feasible unless at least a majority of the votes cast in the referendum upon the proposition of the creation of such district shall have been cast in favor of the creation of such district. If the supervisors shall determine that the operation of such district is administratively practicable and feasible, they shall certify such determination to the Clerk of Court of Chester County, the Code Commissioner and to the Secretary of State. Upon proper recordation of such determination, such watershed conservation district shall constitute a governmental subdivision of this State and a public body corporate and politic. After being recorded, such certification shall be filed with the State Soil Conservation Committee.

SECTION 9. Board of directors to govern district—nominating petitions—election—ballots—terms—officers—bond of treasurer.—(1) The governing body of the watershed conservation district shall consist of five directors, elected as provided herein.

(2) Within thirty days after a watershed conservation district has been created, nominating petitions may be filed with the supervisors of

the soil conservation district to nominate candidates for directors of the watershed conservation district. No such nominating petition shall be accepted by the supervisors unless it is signed by twenty-five or more landowners within the watershed conservation district, or, if less than fifty landowners are involved, by a majority of such landowners. If the candidates nominated do not exceed the number of directors to be chosen, the supervisors shall declare them to be elected. No person shall be eligible to be a director of a watershed conservation district who is not a landowner in the watershed conservation district in which he seeks election.

(3) If the candidates nominated for directors of the watershed conservation district exceed the number of directors to be chosen, the supervisors of the soil conservation district shall, after having given due notice thereof, cause an election to be held within the watershed conservation district within a reasonable time after the expiration of the nominating period. The provisions of Sections 5, 6 and 7 of this act as to notice, qualifications of voters, absentee voting, and the manner of holding the referendum in organizing a watershed conservation district, shall apply insofar as practicable to the election of the directors. The names of all qualified nominees shall be printed in alphabetical order upon ballots with a square before each name and a direction to insert an "X" mark in the square before any five names to indicate the voter's preference. Only landowners within the watershed conservation district shall be eligible to vote in the election. The five candidates who shall receive the largest number respectively of the votes cast in the election shall be the directors of the watershed conservation district, and shall, upon the supervision of the supervisors of the soil conservation district, be the governing body of the watershed conservation district.

(4) Of the directors first elected, the two receiving the largest number of votes shall serve for terms of four years, the two receiving the next largest number of votes shall serve for terms of three years, and the one receiving the next largest number of votes shall serve for a term of two years. The term of office of each of their successors shall be for four years. Any vacancy shall be filled for the unexpired term as provided to original directors.

(5) The directors shall annually designate from among their number a chairman, secretary, and treasurer. The treasurer shall execute an official bond for the faithful performance of the duties of his office, to be approved by the directors. Such bond shall be executed by a surety company authorized to do business in this State and shall be

in an amount determined by the directors. The premium on each bond shall be paid by the watershed conservation district.

SECTION 10. District to be corporate body—powers and duties.—A watershed conservation district organized under the provisions of this act shall constitute a governmental subdivision of this State, and a public body corporate and politic, exercising public powers, and such district and the directors thereof shall, subject to the approval of the supervisors of the soil conservation district, have the following powers, in addition to others granted in other sections of this act:

(1) to acquire, by purchase, exchange, lease, gift, grant, bequest, devise, or otherwise, or through condemnation proceedings in the manner provided in Sections 25-101 through 25-140 and Sections 33-121 through 33-148, Code of Laws of South Carolina, 1962, such lands, easements, or rights-of-way as are needed to carry out any authorized purpose of the watershed conservation district; and to sell, lease, or otherwise dispose of any of its property or interests therein in furtherance of the purposes and provisions of this act;

(2) to construct, reconstruct, repair, enlarge, improve, operate and maintain such works of improvement as may be necessary or convenient for the performance of any of the operations authorized by this act;

(3) to borrow money and to execute promissory notes and other evidences of debt in connection therewith for payment of the costs and expenses of organizing the watershed conservation district for carrying out any authorized purpose of such district, and if promissory notes are issued, to execute such mortgages on any property owned by such district, or assign or pledge such revenues or assessments of such district as may be required by the lender as security for the repayment of the loan; and to issue, negotiate, and sell its bonds as provided in Section 11 of this act;

(4) to levy an annual tax on the real property within the district subject to the limitations provided in Section 13 of this act for payment of the costs and expenses of organizing the watershed conservation district or for carrying out any authorized purpose of such district. Such levy shall be made only after approval by the supervisors of the soil conservation district and the county legislative delegation and upon notifying the county auditor.

SECTION 11. Bonds not to be issued unless referendum held.—(1) Bonds authorized by Section 10 of this act shall not be issued

until proposed by order or resolution of the directors of the watershed conservation district, specifying the purpose for which the funds are to be used and the proposed undertaking, the amount of bonds to be issued, the rate of interest they are to bear, and the amount of any necessary tax levy in excess of the maximum authorized in Section 13 of this act. A copy of the order or resolution shall be certified to the supervisors of the soil conservation district.

(2) The supervisors shall hold a hearing on such proposal after having given due notice. If it appears that the proposal is within the scope and purpose of this act and meets all other requirements of the law, the proposal shall be submitted to the landowners of the district by a referendum held by the supervisors.

(3) The provisions of Sections 5, 6 and 7 of this act as to notice, qualifications of voters, absentee voting, and manner of holding the referendum in organizing a watershed conservation district shall apply to the referendum held under this section.

(4) If two-thirds of the votes cast in such referendum favor the proposal, the directors shall, with the approval of the supervisors, be authorized to issue such bonds.

SECTION 12. Compensation.—The directors of the watershed conservation district shall receive no compensation for their services, but they may be reimbursed for expenses, including traveling expenses, necessarily incurred in the performance of their duties as approved by the supervisors of the soil conservation district.

SECTION 13. Budget—tax levy.—Within the first quarter of each calendar year, the directors of the watershed conservation district shall prepare an itemized budget of the funds needed for administration of the watershed conservation district and for construction, operation and maintenance of works of improvement. After approval of such budget by the supervisors of the soil conservation district, the county auditor shall levy a tax sufficient to meet such budget on all real property within the watershed conservation district of not to exceed five mills on each dollar of assessed valuation, except that this limitation shall not apply to any levy necessary to provide a sinking fund for the retirement of bonds authorized by Section 11 of this act. A copy of such budget shall be certified to the Auditor of Chester County.

SECTION 14. List of landowners and acres subject to assessment.—(1) The directors of the watershed conservation district

with the assistance of the county auditor shall prepare a list of the landowners involved showing the number of acres subject to assessment.

(2) When the property tax rolls are delivered to the county treasurer by the county auditor, as required by law, the county treasurer shall compute the tax due the watershed conservation district from each landowner in accordance with the rate fixed by the directors and the value of the real property indicated on the tax roll. The computation shall be made on the regular tax bills.

SECTION 15. Collection of taxes.—(1) The county treasurer shall collect the taxes due the watershed conservation district at the same time and in the same manner as he collects other taxes of the county.

(2) The taxes shall be subject to the same due and delinquency dates, discounts, penalties and interest as are applied to the collection of county taxes.

SECTION 16. Expenditures.—Tax funds collected shall be transferred to and held by the treasurer of the watershed conservation district for the specific purpose for which they have been collected. All expenditures of such funds shall be made by the directors of the watershed conservation district with the approval of the supervisors of the soil conservation district.

SECTION 17. Petition to have lands detached.—The owners of lands which have not been, are not and cannot be benefited by their inclusion in the watershed conservation district may petition the supervisors of the soil conservation district to have such lands detached. The petition shall describe such lands and state the reasons why they should be detached. A hearing shall be held by the supervisors within thirty days after the petition is filed and due notice of such hearing shall be given by the supervisors. If it is determined by the supervisors that such lands shall be detached, such determination shall be certified to the Auditor of Chester County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee.

SECTION 18. Petition for discontinuance of district—hearing—referendum—discontinuance if election and determination favorable.—(1) At any time after five years after the organization of a watershed conservation district, twenty-five or more landowners within such district, or if less than fifty landowners are involved, a ma-

jority of such landowners, may file a petition with the supervisors of the soil conservation district asking that the existence of the watershed conservation district be discontinued. The petition shall state the reasons for discontinuance, and that all obligations of the watershed conservation district have been met. The supervisors may conduct such hearings upon the petition as may be necessary to assist them in the consideration thereof.

(2) Within sixty days after petition has been filed with the supervisors they shall give due notice of the holding of a referendum. The supervisors shall hold such referendum substantially as provided for in Section 11 of this act. The question shall be submitted by ballots upon which the words "For terminating the existence of the ——— ——— Watershed Conservation District" and "Against terminating the existence of the ——— Watershed Conservation District" shall be printed, with a square before each proposition and a direction to insert an "X" mark in the square before one or the other of the propositions as the voter may favor or oppose the discontinuance of such watershed conservation district. Only landowners within the watershed conservation district shall be eligible to vote in such referendum. No informality in the conduct of the referendum or in any matters relating thereto shall invalidate the referendum or the results thereof if notice of the referendum shall have been given substantially as herein provided and the referendum shall have been fairly conducted.

(3) The supervisors shall publish the results of the referendum and shall thereafter determine whether the continued operation of the watershed conservation district is administratively practicable and feasible. If the supervisors determine that the continued operation of the watershed conservation district is administratively practicable and feasible, they shall record such determination and deny the petition. If the supervisors determine that the continued operation of the watershed conservation district is not administratively practicable and feasible, they shall record such determination and shall certify such determination to the directors of the watershed conservation district; *provided,* however, that the supervisors shall not be authorized to determine that the continued operation of the watershed conservation district is administratively practicable and feasible unless at least a majority of the votes cast in the referendum shall have been cast in favor of the continuance of the watershed conservation district.

(4) Upon receipt from the supervisors of a certification that they have determined that the continued operation of the watershed con-

servation district is not administratively practicable and feasible, the directors shall forthwith proceed to terminate the affairs of the watershed conservation district. A copy of the determination shall be certified to the Auditor of Chester County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee.

SECTION 19. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1965.

(R396, H1628) **No. 549**

An Act To Validate A Conveyance by Chester County To Margaret A. Gibson.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Conveyance by Chester County validated.—The deed from the County of Chester to Margaret A. Gibson dated October 15, 1964, and recorded in the office of the Clerk of Court of Chester County in Deed Book 419 at page 483, is hereby validated and declared to be legal in all respects.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of May, 1965.

(R452, H1703) **No. 550**

An Act To Authorize The Chester Metropolitan District To Borrow In Anticipation Of The Issuance Of Bonds.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that Chester Metropolitan District, the district, acting pursuant to the authorization set forth in Act 379 of 1959, as amended, is in the process of acquiring and constructing a waterworks system for the district, a major portion of which is to be financed with

bonds of the district to be issued pursuant to a loan agreement with an agency of the United States Government, and that it may become necessary for the district to borrow in anticipation of the delivery of such bonds, to a greater extent than permitted by an act of 1965 bearing ratification No. 164.

SECTION 2. District may borrow in anticipation of bond issues.—Notwithstanding the limitation of Section 6 of an act of 1965 bearing Ratification No. 164, which limits borrowing by public agencies (therein defined as borrowers) to seventy-five per cent of the amount of bonds to be issued, the district may, pursuant to such act, borrow in anticipation of bonds authorized, but unissued, to the extent of ninety-five per cent thereof. In proceeding to borrow in anticipation of such bonds the district shall follow the procedure prescribed by the act with the exception of the limitation set forth in Section 6, which is hereby enlarged by this act to ninety-five per cent of the bonds authorized but yet unissued.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of May, 1965.

(R574, H1801) **No. 551**

An Act To Provide Supplemental Appropriations For Chester County For The Year 1964-1965.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. There is hereby appropriated from indirect revenues of Chester County and the county contingent fund sums to be used for the following purposes:

Salaries and Expenses:

Technician for Police Radio	$ 60.00
Janitor Service	2,859.04
Law Enforcement, Great Falls Area	746.76
Caseworkers, Chester Welfare Department	126.00
Tax Collector	1,000.00
County Treasurer	1,025.00
Sheriff	1,025.00
Service Officer: Salary	700.00

Service Officer: Travel Expense	300.00
Service Officer: Stenographic Help	400.00
Chief, Chester County Police	600.00
Magistrate, Seventh District	400.00
Magistrate, Second District—for duties performed in District No. 3	100.00
County Manager	1,600.00
Clerk of Court	1,025.00
Probate Judge	1,025.00
Auditor	1,025.00
Relief Police Radio Operator	225.00
Law Enforcement, Countywide	561.50

All Other Authorizations and Supplements:

Miscellaneous Expenses for County Service Officer (Office Rent, etc.)	$ 300.00
Crenshaw's Plumbing & Heating Company	4,402.55
S. C. State Highway Dept. (Trucks)	10,129.62
Chester County Board of Commerce and Development	16,200.00
Lockwood Greene Engineers, Inc.	1,776.40
South State Chevrolet Company, Inc. (Six new Police Cars)	5,504.41
Colonial Life & Accident Insurance Company (Police Accident Insurance Premium)	22.00
Hospitalization Insurance Premiums	6,999.34
Emergency Relief for Public Welfare	500.00
Transportation of Prisoners	250.00
Board of City Parks and Recreation	1,700.00
Pony and Colt Baseball Leagues	4,089.81
S. C. Forestry Commission (For Fire wardens and tower)	488.10
Chester County Quail Hatchery	1,500.00
Chester Merchants Association	500.00
Shanklin Air Conditioning Company, Inc. (Revisions to heating system—courthouse)	17,670.00
Federated Engineers, Inc. (Heating System)	1,216.88
General Electric Company (Radios for Police Cars)	4,012.04
S. C. Wildlife Resources Dept. (Landsford Recreation Area)	3,480.00
Chester County Rescue Squad	250.00

Chester County Commissioners of Election (Expenses of Special General Election, Sept. 8, 1964, General Election—Nov. 3, 1964 and April 6, 1965 Referendum)	3,713.85
Expense of Board of Registration	678.00
Retirement and Social Security, County Employees	8,936.56
Support and maintenance of convicts at Stockade	16,722.25
Public Buildings Expense	17,140.84
Jail Expenses, including dieting of prisoners and convicts in county jail	4,895.66
Road Department supplies, equipment and expenses	32,221.37
Bond Premiums for County Officials	307.50
Printing, Postage and Stationery	4,684.98
Operation of Law Enforcement—Automobiles	2,607.39
Janitor Service—Associate Agricultural Agent	12.00
J. W. Hunt & Company (Audit for fiscal year 1963-1964)	3,983.77
J. W. Hunt & Company (Audit of Civil Defense Office)	193.06
Nelson T. Fletcher (Audit of Magistrate's books)	200.00
Expense of Tax Notices and Auditing Fees	600.00
Chester County Hospital Bond Account No. 1	745.03
Chester County Hospital Bond Account No. 2	3,732.50
Chester County Hospital Bond Accounts No. 1 and 2	66,193.79
Jurors and Witnesses	1,500.00
TOTAL	$264,863.00

SECTION 2. This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R686, H1831)

No. 552

An Act Relating To The Fiscal Affairs Of Chester County, Making Appropriations Therefor And Levying Taxes For The Fiscal Year Ending June 30, 1966.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The Auditor of Chester County is hereby directed to levy during the year 1965, upon the recommendation and approval of a majority of the Chester County Legislative Delegation, a tax of sufficient number of mills after taking into consideration indirect revenue accruing to the county to provide for the operation of the government of Chester County for the fiscal year beginning July 1, 1965, and ending June 30, 1966. *Provided,* that the treasurer is hereby directed to collect such tax. *Provided,* further, that the Auditor of Chester County is hereby prohibited from the levying of any tax not approved by a majority of the Chester County Legislative Delegation except as otherwise provided by law for school purposes. *Provided,* further, that if no levy is set for ordinary county purposes, then the levy shall be the same as the preceding year.

Item 1.	Administration:	
	A. Office of Clerk of Court:	
	Clerk	$ 6,000.00
	Deputy Clerk	3,600.00
	Assistant Deputy Clerk	2,900.00
	B. Office of Auditor:	
	Auditor (in addition to amount paid by the State of South Carolina)	2,600.00
	Auditor—travel expenses	300.00
	Assistant Auditor	3,600.00
	C. Office of Treasurer:	
	Treasurer (in addition to amount paid by the State of South Carolina)	2,600.00
	Treasurer—travel expenses	300.00
	Assistant Treasurer	3,600.00
	D. Tax Collector	5,200.00
	Deputy Tax Collector	3,050.00
	E. Office of Judge of Probate:	
	Judge of Probate, salary	6,000.00
	Deputy Judge of Probate, salary	2,900.00
	F. Office of the County Manager and the County Board of Directors:	
	Board Members — Chairman, $1,325.00, four members @ $1,100.00 each	5,725.00
	County Manager	8,215.00
	Provided, that the County Manager shall carry out duties as hereinafter prescribed.	
	Stenographer for County Manager	3,600.00

G.	Board of Equalization and Assessment Control *Provided,* that this appropriation or any other funds made available shall be spent by the County Manager upon the recommendation and approval of the Chester County Legislative Delegation.	1,575.00
H.	Legal services, including County Attorney .... *Provided,* that all county agencies, departments, institutions and offices, including County Board of School Trustees and Chester County Hospital Board, shall call upon the legal department for any advice, opinions and other legal information.	2,400.00
I.	Premiums on bonds of county officials	1,850.00
J.	Premiums on Workmen's Compensation Insurance for county employees	6,000.00
K.	Janitor service—Courthouse and other public buildings ..... *Provided,* the County Manager shall use the prison labor when available.	5,730.00
L.	Custodian of Chester County War Memorial Building ..... *Provided,* the custodian shall be appointed by the County Manager upon the recommendation of a majority of the Chester County War Memorial Commission.	880.00
M.	Coroner—salary	1,525.00
	Coroner—travel expenses	300.00
Item 2.	Chester County Police Department:	
A.	Sheriff .....$	6,000.00
	Lieutenant	4,800.00
	Two (2) Sergeants @ $4,560.00 each	9,120.00
	Five (5) policemen @ $4,320.00 each	21,600.00
	Two (2) jailors @ $3,000.00 each	6,000.00
	Record clerk	2,900.00
	The Sheriff shall set up a complete system of records showing information on all prisoners placed in the jail and any other records he may deem wise. *Provided,* the record clerk shall keep such records and such records shall be available to the magistrates and all law enforcement officers.	

Provided, further, such records shall show the time when a prisoner is confined in the County Jail and when released.

B. Jail expenses, including dieting of prisoners and convicts in County Jail 11,000.00
Provided, that the Jailor or Sheriff shall keep an accurate record of the time a prisoner enters and leaves the County Jail and the number of meals served each prisoner while he is confined in the County Jail. Such Jailor or Sheriff shall be paid on the basis of thirty cents per meal.
Provided, further, that the County Manager shall have supervision of and shall be held responsible for the expenditure of the above appropriation and shall be empowered to make rules and regulations of the expenditure thereof. *Provided,* further, that the Jailor or Sheriff shall submit to the County Manager his record of time each prisoner or convict spent in the County Jail. Such records shall be used as a basis of payment by the County Manager for the dieting of prisoners and convicts. The record shall be kept in the jail book on file in the County Jail and all entries shall be made with ink or indelible pencil. *Provided,* further, that before payment is made by the County Manager to the Jailor or Sheriff the County Manager shall compare and check the record submitted by the Jailor or Sheriff with the jail book in the Sheriff's office.

Item 3. Magistrates:

A. First District	$ 3,700.00
B. Second District	1,325.00
C. Third District	1,525.00
D. Fourth District	1,100.00
E. Fifth District	960.00
F. Sixth District	960.00
G. Seventh District	3,700.00
H. Magistrates' constables (5)	1,348.28

Item 4. Law Enforcement, Great Falls Area ..... $ 22,800.00
(One chief @ $4,800.00, four patrolmen @ $4,-

320.00 each, three commissioners @ $20.00 each per month.)

Item 6. Miscellaneous Law Enforcement:

A. Support and maintenance of convicts at stockade $ 25,000.00
B. Technician for police radio 660.00
C. Leased telephone line for Great Falls Law enforcement Officers 1,080.00
D. Police radio operator 3,200.00
E. County share for police radio operator 1,600.00
F. Relief operator, police radio 1,135.00
Provided, that the police radio operators and police radio technician shall be employed by the Sheriff. *Provided,* further, that the Sheriff shall prescribe the duties of the police radio operator and police technician.
G. Uniforms and supplies for Law Enforcement Officers 2,500.00
Provided, that the County Manager shall purchase uniforms as needed.
Provided, further, that when a new law enforcement officer is hired there is hereby authorized and directed a deduction of $25.00 per month from such officer's pay for a period of six months to apply to the purchase of uniforms.
H. Jurors and witnesses, including Magistrates' Jurors for regular or special term of court 7,000.00
Provided, that jurors for the Circuit Court shall be paid mileage each way for each mile actually traveled each day at 5¢ per mile.
Provided, further, jurors shall be paid at the rate of seven dollars and fifty cents per day.
Provided, further, Magistrates' Jurors shall be paid as provided by law.
I. Post mortems, inquests, lunacy commitments .. 1,200.00
J. For operation of Law Enforcement automobiles 8,500.00
Provided, that identification signs shall be placed on all Chester County law enforcement automobiles. The county shops shall be used for maintenance of all law enforcement automobiles and vehicles whenever possible. *Provided,* further, that law enforcement automobiles shall be used for official business only.

K. Jailor, Great Falls Jail		1,200.00
Provided, the Jailor shall be appointed by the County Manager upon the recommendation of the Chester County Legislative Delegation.		
Item 7. Farm Agencies:		
A. Supplement to County Agent	$	992.25
B. County Agent for supplemental postage, telephone, etc.		200.00
C. Supplement to salary of Assistant County Agent		661.50
D. Supplement to County Agent's Stenographer ..		441.00
E. Boys' & Girls' 4-H Club work		250.00
F. Supplement to salary of Home Demonstration Agent		330.75
G. Supplement to Stenographer for County Home Demonstration Agent		661.50
H. Supplies for Home Demonstration Agent		160.00
I. Supplement to salary, Associate County Agricultural Agent		265.00
J. Secretary to Associate Agricultural Agent and Associate Home Demonstration Agent		1,800.00
K. Associate Home Demonstration Agent		1,918.35
Item 8. Welfare:		
A. Supplement to salary of County Director of Public Welfare	$	315.00
B. Supplement to Chester County Public Welfare Board		428.40
Provided, that members shall be paid at the rate of ten dollars per meeting and for mileage (12 meetings per year).		
C. Supplement to salaries of Case Workers and Junior Stenographers, Chester County Welfare Department, to be paid at the rate of $10.00 per worker		1,008.00
D. Emergency relief for Public Welfare		500.00
Item 9. Health:		
B. County Health Department	$	14,200.00
C. Tuberculosis Clinic work		800.00
D. County Physician		1,800.00

Item 10. Veterans:

A. Service Officer for veterans of all wars ..... $ 4,795.00
B. Travel for Service Officer, if so much be necessary 1,500.00
C. Stenographic help for Service Officer 2,800.00

Item 11. National Guard Unit at Chester ..... $ 1,500.00

Item 12. Road Department:

A. Road equipment and expenses of operation of same, including road construction program operated in connection with and under the supervision of the State Highway Department on State highways, including labor, roads, bridges, culverts and pipe lines ..... $ 75,000.00
Provided, that the above amount is appropriated for the above-stated purposes only, and before any new road construction or new projects are undertaken by the County Manager and County Board of Directors, prior appropriation therefor shall be made by the county legislative delegation. *Provided,* further, that the County Manager shall be held responsible for any construction or new projects made contrary to the above provisions. *Provided,* further, that all trucks, motor graders, tractors and other equipment shall have identification signs showing that they are the property of Chester County. Such signs shall be as follows: "Property of Chester County".
B. Depreciation, repair & maintenance & acquisition of equipment and machinery, if so much be necessary 25,000.00

Item 13. Miscellaneous:

A. Public buildings, including water, lights, fuel and insurance, including Health Centers, Great Falls Jail and Chester County War Memorial Building $ 25,000.00
B. Printing, postage and stationery 15,000.00
C. Retirement and Social Security, County employees 18,000.00
D. Chester County Commerce and Development Board, for advertising county advantages, if so much be necessary 6,000.00

E. Chester Soil Conservation District, to be used in employment of personnel to work with the Soil Conservation Service 500.00

F. Miscellaneous expenses, County Manager 1,200.00

G. Miscellaneous expenses, 5 members County Board of Directors, $100.00 each 500.00

H. Civil Defense, if so much be necessary 6,000.00
Provided, the appropriation for Civil Defense shall be budgeted by the County Manager and the Director of Civil Defense with the approval of the Chester County Legislative Delegation.

I. Board of Registration 500.00

J. Expenses, tax notices and auditing fees 1,600.00

K. Premium, accident insurance, County Law Enforcement Officers 300.00

L. Nursing Home patients, if so much be necessary 4,500.00
Provided, that the above amount shall be expended by the County Manager on patients in nursing homes that are approved by the State Board of Public Welfare and the State Health Department; *provided,* further, that such patients shall be approved by the Chester County Welfare Department.

M. Chester County Library (in addition to levy made hereinafter in Section 2) 6,000.00

N. Mental Health Clinic, Chester County's contribution 6,000.00
Provided, this amount is hereby appropriated contingent upon the operation of a mental health clinic in conjunction with Lancaster and York Counties.

O. Hospitalization of charity patients whose condition demands hospitalization, if so much be necessary 15,000.00
Provided, that the treasurer shall make these funds available direct to the Chester County Hospital Board upon itemized statements of the number of days spent in the hospital by charity patients signed by each patient and certified by the hospital management. *Provided,* further, the Chester County Hospital Board is responsible

	for and charged with the expenditure of the above levy for hospitalization of charity patients and is hereby authorized and directed to make such investigations in order to determine who is eligible for charity hospitalization as they deem wise. *Provided,* further, that the Chester County Board of Public Welfare is hereby directed to make any such investigations of charity patients as the Chester County Hospital Board may request. *Provided,* further, that the charity patients referred to herein shall be citizens of Chester County.	
P.	Audit of county books	2,500.00
Q.	Chester County Quail Hatchery	1,500.00
R.	Transportation of prisoners	250.00
S.	Hospital insurance for law enforcement officers and road department employees	9,240.00
T.	Miscellaneous expenses for Veteran's Service Officer	300.00
U.	Miscellaneous expenses for three (3) county fire wardens, $100.00 each	300.00
	Total	$489,880.03

SECTION 2. The following taxes are levied upon the taxable property of Chester County for the year 1965 for expenditure during the fiscal year commencing July 1, 1965, and ending June 30, 1966, for the following purposes:

(a) To provide funds for retiring and paying interest on Chester County Hospital bonds (issue of 1950), five (5) mills;

(b) For county roads, five mills, to be expended on the county roads. Such expenditure shall include labor, roads, bridges, culverts and pipe lines and the construction program operated in connection with and under the supervision of the State Highway Department on roads now in or roads to be placed in the State Highway system. The funds raised from this levy are appropriated for the above-stated purposes only, and any new road construction or projects shall not be undertaken by the County Manager or the County Board of Directors unless and until an appropriation has been made therefor by the county legislative delegation;

Provided, the road construction program operated in connection with the South Carolina Highway Department shall be discontinued upon approval of the majority of the Chester Legislative Delegation.

(c) For Chester County Library, one and three-quarter mills; *provided,* this levy shall supersede the levy made in Act 293 of 1949.

Provided, however, that the Auditor of Chester County is hereby directed, upon the written approval of a majority of the Chester Legislative Delegation, to reduce these levies or to eliminate them entirely.

Provided, further, that in case the funds provided by the above levies prove to be more than enough for such purposes, the treasurer, upon the written authority of the majority of the Chester County Legislative Delegation, shall transfer such excess funds to the Chester County Contingent Fund.

SECTION 3. The county treasurer is empowered to borrow in anticipation of taxes levied so much money as may be necessary to pay the authorized expenses of the county in case of emergency; *provided,* it shall be borrowed upon the request of the board of county directors, with the approval in writing of a majority of the Chester County Legislative Delegation.

SECTION 4. In the event it should be found that the amount appropriated for any specific purpose is more than is necessary, the county manager shall have the right, with the written approval of a majority of the legislative delegation, to apply such surplus to other necessary county purposes. *Provided,* that the county manager shall not have the right to exceed the appropriations herein made for any specific purpose unless he is authorized prior thereto in writing by a majority of the legislative delegation.

SECTION 5. All county officers, departments, boards and agencies, including the jailor, when in need of supplies, shall make written requisition to the county manager for all supplies needed and in no case shall any purchases be made except as above specified.

SECTION 6. The errors, if any, in the total of this act shall not affect any of the several items named herein.

SECTION 7. The salaries, expense items and rents herein provided for shall be payable monthly, unless otherwise specified and provided.

SECTION 8. The county manager is hereby authorized to allow pay for full ten days' time every two weeks for regular truck drivers,

regular machine hands, regular machinists or mechanics, regular foremen of bridge gangs and regular patrol foremen when their time may be interfered with by weather conditions; *provided,* these employees shall be paid weekly; *provided,* however, that these employees report for work and do such work as conditions will permit; *provided,* further, that this shall not interfere with previous arrangements made by the county manager in cases of sickness of employees and shall not interfere with the number of holidays heretofore allowed; and *provided,* further, that the provisions of this section shall not be construed to interfere with the authority of the couny manager to discharge any employee for cause, dismiss one when his term of employment has expired, or "lay off" one when his services are not needed, or when there are no funds with which to pay for the work in which he is engaged. *Provided,* further, that the county manager is hereby authorized to allow a vacation of one week each year with pay for such employees who have been in the employ of the county for one full continuous year immediately preceding such vacation. *Provided,* further, that the rate of pay for all county road employees shall be determined and fixed by the county manager and shall be consistent with the amount appropriated each year in the annual Chester County Appropriations Act. *Provided,* further, that when the pay is so determined by the county manager, such rates of pay shall be recommended to the county board of directors for their approval.

SECTION 9. The furniture, fixtures and equipment located on the second floor of the Chester County War Memorial Building shall not be loaned or removed from the building.

SECTION 10. The county manager is hereby authorized to lease or sell land and building formerly known as the Chester County Nursing and Convalescent Home. *Provided,* that before any lease or sale is made by the county manager he shall submit same to the county board of directors and county legislative delegation for their approval.

SECTION 11. The salaries appropriated in this act for all county officers and offices are appropriated in lieu of all fees now provided by law and shall be paid in lieu of all fees.

SECTION 12. The salary for the court bailiff is hereby fixed at ten dollars per diem for days actually served in court.

SECTION 13. The county manager and the executive secretary of the Chester County Board of School Trustees are hereby authorized and directed to post on or before the tenth day of each month, on the

bulletin board in the courthouse, an itemized list of all disbursements made during the preceding month and shall forward a copy to each member of the legislative delegation.

SECTION 14. The county manager is hereby authorized and directed to maintain all streets in the City of Chester not now in the State Highway system.

SECTION 15. The words "County Delegation", "majority of the legislative delegation", and words of similar import when used to refer to the group which must approve or take certain action shall, in all cases when used in this act or any act applicable to Chester County, mean the Senator and one-half of the members of the House of Representatives from Chester County.

SECTION 16. The county manager shall annually inventory and identify by proper number of markings all furniture, fixtures and equipment owned by Chester County.

SECTION 17. The levy provided for in Section 21-1816 of the 1962 Code, as amended, shall be at no greater rate than the rate for the fiscal year 1964-1965 and shall be utilized only for the operation of the schools of Chester County.

SECTION 18. The Chester County Board of School Trustees shall be paid at the rate of twenty-five dollars per day for not to exceed twelve meetings per year. *Provided,* this shall be paid out of school funds.

SECTION 19. This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1965.

(R88, S107)

No. 553

A Joint Resolution To Extend The Open Season For The Hunting Of Quail And Rabbits In Chesterfield, Marlboro And Dillon Counties For The Year 1965 Only.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Quail and rabbit season extended in certain counties.—Notwithstanding any other provisions of law to the contrary,

the open season for the hunting of quail and rabbits in Chesterfield, Marlboro and Dillon Counties shall be to and include March first for the year 1965 only.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of February, 1965.

(R262, H1475) **No. 554**

An Act To Validate The Transfer Of Deeds Of Right Of Way Easements From Chesterfield County To The Carolina Power And Light Company.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chesterfield County—certain deeds validated.—The two deeds of conveyance of right of way easements from the Chesterfield County Board of Commissioners to Carolina Power & Light Company dated January 8, 1965, and recorded in Deed Book 165 at pages 535 and 539 in the office of the Clerk of Court of Common Pleas and General Sessions for Chesterfield County are hereby validated.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1965.

(R393, H1559) **No. 555**

An Act To Create The Deep Creek Watershed Conservation District In Chesterfield County; To Provide For The Election Of Its Directors And To Define Their Powers And Duties; And To Provide For A Tax Levy To Defray The Cost Of Organizing And Administering The District And For The Construction, Operation And Maintenance Of The Improvements To Be Provided Within The District; And To Provide For Various Elections.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Deep Creek Watershed Conservation District may be created in Chesterfield County.—Authority is hereby granted to form the Deep Creek Watershed Conservation District in Chesterfield County for the purpose of developing and executing plans and programs relating to any phase of the control and prevention of soil erosion, flood prevention, or the conservation, development, utilization and disposal of water.

SECTION 2. Area.—The area embraced in the district must be contiguous and drain naturally into Deep Creek. The area shall not include lands located within the boundary of any incorporated city or town, lands not included within a soil conservation district, or lands embraced in another watershed conservation district.

SECTION 3. Petition for formation.—Formation of the district shall be initiated by the filing of a petition with the board of supervisors of the soil conservation district within the proposed conservation district. The petition must be signed by twenty-five or more freeholders in the proposed district. If there are less than fifty landowners within the proposed district, then a majority of the landowners may file a petition with the board asking that a watershed conservation district be organized to function in the area described in the petition. The petition shall set forth and define the boundaries of the proposed district, the number of acres involved, reasons for requesting the creation of the district and any other information pertinent to the proposal.

SECTION 4. Hearing on petition.—(a) Within thirty days after the petition has been filed with the board of supervisors of the soil conservation district, it shall cause due notice to be given of a hearing upon the question of the desirability and necessity in the interest of the public health, safety, and welfare, of the creation of the watershed conservation district. All interested parties shall have the right to attend the hearing and to be heard. If it shall appear at the hearing that other lands should be included in the petition or that lands included in the petition should be excluded, the board of supervisors may permit such inclusion or exclusion, provided the land area involved still meets the requirements of Section 2 of this act.

(b) If it appears upon the hearing that it may be desirable to include within the proposed watershed conservation district territory outside of the area within which due notice of the hearing has been given, the hearing shall be adjourned and due notice of a further hear-

ing shall be given throughout the entire area considered for inclusion in the proposed watershed conservation district, and such further hearing shall be held. After final hearing, if the board of supervisors of the soil conservation district determines, upon the facts presented at the hearing and upon other available information, that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory considered at the hearing, it shall make and record such determination, and shall define the area but the description need not be given by metes and bounds, but the description shall be deemed sufficient if generally accurate and the approximate number of acres of land included in the proposed watershed conservation district is shown.

(c) If the board of supervisors of the soil conservation district determines after such hearing that there is no need for a watershed conservation district to function in the territory considered at the hearing, it shall make and record such determination and shall deny the petition.

SECTION 5. Referendum.—After the board of supervisors has determined that there is need, in the interest of the public health, safety and welfare, for creation of the proposed watershed conservation district, it shall consider the question whether the operation of a district within the proposed boundaries with the power conferred upon such district in Section 9 of this act is administratively practicable and feasible. To assist the board of supervisors in this determination the board shall, within a reasonable time after entry of the finding that there is need for the organization of the district and the determination of the boundaries of the district, hold a referendum within the proposed district upon the proposition of the creation of the district. Due notice of the referendum shall be by notice published at least twice with an interval of at least one week between the two publication dates, in a publication of general circulation within the appropriate area, or, if no such publication of general circulation be available, notices shall be posted at a reasonable number of conspicuous places in the appropriate area. These notices shall be posted at public places where it is customary to post notices concerning county or municipal affairs generally. Such notices shall state the date of holding the referendum, the hours of opening and closing the polls, and shall designate one or more places within the proposed district as polling places. The board shall have full charge of the election and shall have suitable ballots printed and furnished to each voting place, appoint necessary box

managers and other election officials, and shall canvass the election and announce the results. Cost of holding the referendum shall be paid from the General Fund of Chesterfield County.

SECTION 6. Question.—The question to be voted on shall be submitted by the ballots upon which appear the words:

"For the creation of the Deep Creek Watershed Conservation District".

"Against the creation of the Deep Creek Watershed Conservation District". A square shall follow each proposition. The ballot shall also contain a direction to insert an "X" mark in the square following one or the other of the propositions, as the voter may favor or oppose creation of the district. The ballot shall set forth the boundaries of the proposed district as determined by the board of supervisors. Only owners of lands lying within the boundaries of the territory, as determined by such board, shall be eligible to vote in the referendum. Qualified voters may vote by absentee ballot in such referendum under the rules and regulations prescribed by the board of supervisors.

SECTION 7. Results—district to be created if results and determination favorable.—The votes shall be counted by the referendum officials at the close of the polls and a report of the results along with the ballots shall be delivered and certified to the board of supervisors. Thereafter the board shall determine whether the operation of the watershed conservation district within the defined boundaries is administratively practicable and feasible. If the board determines that the operation of such district is not administratively practicable and feasible, it shall record such determination and deny the petition. If the board determines that the operation of such district is administratively practicable and feasible, it shall record such determination and shall proceed with the organization of the district in the manner hereinafter set forth; *provided,* however, that the board shall not have authority to determine that the operation of such district is administratively practicable and feasible unless at least a two-thirds majority of the votes cast in the referendum upon the proposition of the creation of such district shall have been cast in favor of the creation of such district. If the board shall determine that the operation of such district is administratively practicable and feasible, it shall certify such determination to the Clerk of Court of Chesterfield County and to the Secretary of State. Upon this certification, the watershed conservation district shall constitute a governmental subdivision of this

State and a public body, corporate and politic. After being recorded, such certification shall be filed with the State Soil Conservation Committee.

SECTION 8. Board of directors to govern district—nominating petitions—election—ballots—terms—officers—bond of treasurer. —(a) The governing body of the watershed conservation district shall consist of five directors, elected as provided herein.

(b) Within thirty days after the watershed conservation district has been created, nominating petitions may be filed with the board of supervisors of the soil conservation district to nominate candidates for directors of the watershed conservation district. No nominating petition shall be accepted by the board of supervisors unless it is signed by twenty-five or more landowners within the watershed conservation district, or, if less than fifty landowners are involved, by a majority of such landowners. If the candidates nominated do not exceed the number of directors to be chosen, the board of supervisors shall declare them to be elected. No person shall be eligible to be a director who is not a landowner in that portion of the watershed conservation district within the soil conservation district in which he seeks election.

(c) If the candidates nominated for directors of the watershed conservation district exceed the number of directors to be chosen, the board of supervisors of the soil conservation district shall, after having given due notice thereof, cause an election to be held within the watershed conservation district within a reasonable time after the expiration of the thirty-day period for the election of five directors of the watershed conservation district. The provisions of this act as to notice, qualifications of voters, absentee voting, and the manner of holding the referendum in organizing a watershed conservation district, shall apply insofar as practicable to the election of the directors. The names of all nominees on behalf of whom nominating petitions have been filed as hereinabove provided shall be printed, arranged in alphabetical order of their surnames, upon ballots with a square before each name and a direction to insert an "X" mark in the square before any five names to indicate the voter's preference. All landowners within the watershed conservation district shall be eligible to vote in the election. Only landowners shall be eligible to vote. The five candidates who shall receive the largest number respectively of the votes cast in such election shall be the elected directors of the watershed conservation district. The five elected directors shall, under

the supervision of the board of supervisors of the soil conservation district, be the governing body of the watershed conservation district.

(d) Of the directors first elected, the two receiving the largest number of votes shall serve for terms of four years, the two receiving the next largest number of votes shall serve for terms of three years, and the one receiving the next largest number of votes shall serve for a term of two years. The term of office of each of their successors shall be four years.

(e) The directors shall annually designate from among their number a chairman, secretary and treasurer. The treasurer shall execute an official bond for the faithful performance of the duties of his office, to be approved by the directors. Such bond shall be executed by a surety company authorized to do business in this State and shall be in an amount determined by the directors. The premium on such bond shall be paid by the watershed conservation district.

SECTION 9. District to be corporate body—powers and duties. —The watershed conservation district shall constitute a governmental subdivision of this State, and a public body corporate and politic, exercising public powers, and such district and the directors thereof shall, subject to the approval of the board of supervisors, have the following powers, in addition to others granted in other sections of this act:

(a) To acquire, by purchase, exchange, lease, gift, grant, bequest, devise, or otherwise, or through condemnation proceedings in the manner provided in Chapter 2 of Title 25, Code of Laws of South Carolina, 1962, such lands, easements, or rights-of-way as are needed to carry out any authorized purpose of the watershed conservation district; and to sell, lease, or otherwise dispose of any of its property or interests therein in furtherance of the purposes and provisions of this act; *provided,* that the power of eminent domain conferred hereunder shall not extend to the property of any public utility that the utility could have acquired under its power of eminent domain;

(b) To construct, reconstruct, repair, enlarge, improve, operate, and maintain such works of improvement as may be necessary or convenient for the performance of any of the operations authorized by this act;

(c) To borrow money and to execute promissory notes and other evidences of debt in connection therewith for payment of the costs and expenses of organizing the watershed conservation district or for carrying out any authorized purpose of the district, and if promis-

sory notes are issued, to execute such mortgages on any property owned by the district or assign or pledge such revenues or assessments of the district as may be required by the lender as security for the repayment of the loan; and to issue, negotiate, and sell its bonds as provided in Section 10 of this act;

(d) To levy an annual tax on the real property within the district subject to the limitations as provided in Section 12 of this act for payment of the costs and expenses of organizing the watershed conservation district or for carrying out any authorized purpose of such district. Such levy shall be made only after approval by the board of supervisors of the soil conservation district, by notifying the county auditor.

SECTION 10. Bonds not to be issued unless referendum held.—(a) Bonds authorized by Section 9 of this act shall not be issued until proposed by order or resolution of the directors of the watershed conservation district, specifying the purpose for which the funds are to be used and the proposed undertaking, the amount of bonds to be issued, the rate of interest they are to bear, and the amount of any necessary tax levy in excess of the maximum authorized in Section 12 of this act. A copy of the order or resolution shall be certified to the board of supervisors of the soil conservation district.

(b) The board of supervisors shall hold a hearing on such proposal after having given due notice. If it appears that the proposal is within the scope and purpose of this act and meets all other requirements of the law, the proposal shall be submitted to the landowners of the district by a referendum held by the board of supervisors.

(c) The same provisions as to notice, qualification of voters, absentee voting, and manner of holding the referendum in organizing a watershed conservation district shall apply to the referendum held under this section.

(d) If two-thirds of the votes cast in the referendum favor the proposal, the directors shall, with the approval of the board of supervisors, be authorized to issue the bonds.

SECTION 11. Compensation.—The directors of the watershed conservation district shall receive no compensation for their services, but they may be reimbursed for expenses, including traveling expenses, necessarily incurred in the performance of their duties, as approved by the board of supervisors of the soil conservation district.

SECTION 12. Budget—tax levy.—Within the first quarter of each calendar year, the directors of the watershed conservation district shall prepare an itemized budget of the funds needed for administration of the watershed conservation district and for construction, operation and maintenance of works of improvement. After approval of such budget by the board of supervisors of the soil conservation district, the county auditor shall levy a tax sufficient to meet such budget on all real property within the watershed conservation district of not to exceed five mills on each dollar of assessed valuation, except that this limitation shall not apply to any levy necessary to provide a sinking fund for the retirement of bonds authorized by Section 10 of this act. A copy of the budget shall be certified to the Auditor of Chesterfield County.

SECTION 13. List of landowners and acres subject to assessment.—(a) The directors of the watershed conservation district with the assistance of the county auditor shall prepare a list of the landowners involved, showing the number of acres subject to assessment.

(b) When the property tax rolls are delivered to the county treasurer by the auditor, as required by law, the treasurer shall compute the tax due the watershed conservation district from each landowner in accordance with the rate fixed by the directors and the value of the real property indicated on the tax roll. The computation shall be made on the regular tax bills.

SECTION 14. Collection of taxes.—(a) The county treasurer shall collect the taxes due the watershed conservation district at the same time and in the same manner as he collects other taxes of the county.

(b) Such taxes shall be subject to the same due and delinquency dates, discounts, penalties and interest as are applied to the collection of county taxes.

SECTION 15. Expenditures.—Tax funds collected shall be transferred to and held by the treasurer of the watershed conservation district for the specific purpose for which they have been collected. All expenditures of the funds shall be made by the directors of the watershed conservation district with the approval of the board of supervisors of the soil conservation district.

SECTION 16. Petition to have lands detached.—The owner or owners of lands which have not been, are not and cannot be benefited

by their inclusion in the watershed conservation district may petition the board of supervisors of the soil conservation district to have such lands detached. The petition shall describe the lands and state the reasons why they should be detached. A hearing shall be held by the board of supervisors within thirty days after the petition is filed. Due notice of such hearing shall be given by the board of supervisors. If it is determined by the board of supervisors that the lands should be detached, its determination shall be certified to the Auditor of Chesterfield County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee.

SECTION 17. Petition for discontinuance of district—hearing—referendum—discontinuance if election and determination favorable.—(a) At any time after five years after the organization of the watershed conservation district, twenty-five or more landowners within the district, or if less than fifty landowners are involved, a majority of the landowners, may file a petition with the board of supervisors of the soil conservation district asking that the existence of the watershed conservation district be discontinued. The petition shall state the reasons for discontinuance, and that all obligations of the watershed conservation district have been met. The board of supervisors may conduct such hearings upon the petition as may be necessary to assist it in the consideration thereof.

(b) Within sixty days after the petition has been filed with the board of supervisors it shall give due notice of the holding of a referendum. The board of supervisors shall hold such referendum substantially as provided in Section 10 ot this act. The question shall be submitted by ballots upon which the words "For terminating the existence of the Deep Creek Watershed Conservation District" and "Against terminating the existence of the Deep Creek Watershed Conservation District" shall be printed, with a square before each proposition and a direction to insert an "X" mark in the square before one or the other of the propositions as the voter may favor or oppose the discontinuance of the watershed conservation district. All landowners within the watershed conservation district shall be eligible to vote in the referendum. Only landowners shall be eligible to vote. No informality in the conduct of the referendum or in any matters relating thereto shall invalidate the referendum or the results thereof, if notice thereof shall have been given substantially as herein provided and the referendum shall have been fairly conducted.

(c) The board of supervisors shall publish the results of the referendum and shall thereafter determine whether the continued operation of the watershed conservation district is administratively practicable and feasible. If the board of supervisors determines that the continued operation of the watershed conservation district is administratively practicable and feasible, it shall record such determination and deny the petition. If the board of supervisors determines that the continued operation of the watershed conservation district is not administratively practicable and feasible, it shall record such determination and shall certify its determination to the directors of the watershed conservation district; *provided,* the board of supervisors shall not be authorized to determine that the continued operation of the watershed conservation district is administratively practicable and feasible unless at least a majority of the votes cast in the referendum shall have been cast in favor of the continuance of the watershed conservation district.

(d) Upon receipt from the board of supervisors of a certification that it has determined that the continued operation of the watershed conservation district is not administratively practicable and feasible, the directors shall forthwith proceed to terminate the affairs of the watershed conservation district. A copy of the determination shall be certified to the Auditor of Chesterfield County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee and the Secretary of State.

SECTION 18. Supervisory authority if district discontinued.—If any soil conservation district in which any part of a watershed conservation district is situated is discontinued, all supervisory authority over the affairs of the watershed conservation district which was previously exercised by the board of supervisors of such soil conservation district shall thereafter be exercised by the governing body of Chesterfield County.

SECTION 19. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of May, 1965.

(R471, H1657) **No. 556**

An Act To Make Supplemental Appropriations For The Fiscal Year 1964-1965 From The General Fund Of Chesterfield County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The following supplemental appropriations for the fiscal year 1964-1965 are made from the General Fund of Chesterfield County:

Highway Fund	$ 5,000.00
Public Buildings	1,200.00
Maintenance of Sheriff's Radios	200.00
Post Mortem, Inquest & Lunacies	300.00
Officers Bonds	300.00
Maintenance & Operation of Sheriff's Cars	1,200.00
County Contribution to Retirement	500.00
Maintenance of Indigents	800.00
Physician's Fees and Drugs	200.00
Hydraulic Highway Cutter (For County Highway Department)	6,500.00
Sewer Improvement for Windsor Park	4,099.00
Total	$ 20,299.00
For out-of-county fees for 8 citizens and residents of Chesterfield County attending the Florence-Darlington Technical Education Center	$ 1,160.00

Provided, this appropriation shall be spent by the County Board of Commissioners, and shall be paid directly to the Florence-Darlington Technical Education Commission.

SECTION 2. This act shall take effect upon approval by the Governor.

Approved the 27th day of May, 1965.

(R656, H1792)

No. 557

An Act To Provide For The Levy Of Taxes For Ordinary And Other County Purposes For The Fiscal Year Beginning July 1, 1965, And Ending June 30, 1966; To Appropriate Monies For The Operation Of The County Government Of Chesterfield County During The Fiscal Year And To Further Regulate The Administration Of The County Government Of Chesterfield County And To Provide For The Collection Of Certain Fees In The Windsor Park Sewerage System.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The following appropriations are hereby made for the fiscal year July 1, 1965, to June 30, 1966, the operation of the county government of Chesterfield County:

Item 1.	Chesterfield County Highway Fund	$ 90,000.00
	This fund shall be spent by the county board of commissioners for the construction, improvement and maintenance of county public roads and bridges; for the purchase, repair, replacement and maintenance of road building and maintenance machinery; for the operation of the county chain gang; for the purposes specified in this act and as set forth in the official budget of the board of commissioners; and for incidental purposes.	
	Total, Item 1	$ 90,000.00
Item 2.	Administrative Department:	
	Clerk of Court, Salary	$ 6,140.00
	Deputy Clerk of Court	2,600.00
	Clerk of Court, clerk hire	2,300.00
	Supplies, Clerk of Court	4,000.00
	Provided, that the clerk of court is hereby authorized to purchase all supplies for his office, and the board of county commissioners shall pay from this appropriation all claims for expenses duly approved by the clerk of court.	
	Salary, Probate Judge	100.00
	Clerical help, Probate Judge	2,100.00

Provided, this appropriation is on condition that the probate judge reimburse the county out of the fees received by him for the entire sum of two thousand one hundred dollars, to be paid to the county treasurer in monthly installments of one hundred seventy-five dollars each, which shall begin July 1, 1965, which shall be placed in the general fund of the county. This provision shall be applicable to a deputy probate judge, if such officer be appointed.	
Salary, County Auditor	2,100.00
Clerical assistance, County Auditor	5,000.00
Salary, County Treasurer	2,100.00
Chief Clerk to County Treasurer	3,000.00
Clerical assistance, County Treasurer	2,300.00
Extra clerical help, if needed for preparation of 1965 tax books, treasurer's and auditor's office, $400.00 each	800.00
Tax Collector	3,000.00
Tax Collector, travel	1,000.00
One clerk to Tax Collector	2,400.00
Cost of Delinquent Tax Collections	6,000.00
Salary, County Board of Commissioners, three @ $600.00 each	1,800.00
Travel—County Board of Commissioners, three @ $900.00 each	2,700.00
Salary of clerk to County Board of Commissioners and Road Supervisor	4,000.00
Travel expenses for clerk to County Board	900.00
For assistant clerk hire	3,000.00
Salary, Coroner	720.00
Travel expense—County Coroner	360.00
County Service Officer	2,700.00
Travel expense—County Service Officer	1,500.00
Clerk, County Service Officer	2,400.00
The State funds payable to Chesterfield County for the maintenance and services of the County Service Officer shall be deposited in the county treasury to the credit of the general county fund.	
Janitor, Courthouse	2,080.00

County Board of Equalization	1,500.00
Vital Statistics	300.00
Stenographer, County and Home Demonstration Office	1,483.00
For demonstration supplies and telephone	300.00
Boys' 4-H Club Work	200.00
Girls' 4-H Club Work	200 00
Future Farmers of America	300.00
Assistant Home Demonstration Agent	1,020.00
Associate County Agent, and Assistant Home Demonstration Agent, clerical Help and telephone	1,440.00
County Agent, Home Agent, and Assistant County Agents	1,500.00
Provided, that each agent and assistant agent must have at least five years' experience in extension work to qualify; and *provided,* further, that this fund shall be disbursed by the county agent and no agent shall receive less than $300.00.	
Payment of rent for FHA Office	360.00
Master's Office—telephone and supplies	150.00
County Health Department	10,684.00
Water, fuel, lights and insurance and other incidentals for maintenance of public buildings	8,000.00
Printing, postage, stationery, office supplies and incidentals for county offices	9,500.00
To Clerk of Court for maintenance of Courthouse grounds	450.00
Salary, County Attorney	1,000.00
Provided, that the county attorney shall be appointed by the county board of commissioners subject to the approval of a majority of the county legislative delegation.	
Provided, further, that the county attorney shall handle all uniform support cases which have formerly been handled by the circuit solicitor.	
County contribution to retirement county officials	10,000.00
Workmen's Compensation	2,500.00

	Workmen's Compensation coverage for Chesterfield County school teachers and school employees, if so much be needed	1,800.00
	Provided, that the school teachers and all school employees of Chesterfield County be provided with Workmen's Compensation coverage and that this coverage be placed with the State's Workmen's Compensation Fund.	
	County contribution to Social Security of county employees	6,800.00
	Total, Item 2	$126,587.00
Item 3.	Judicial Department:	
	Salaries of Magistrates:	
	Courthouse Township	$ 1,500.00
	Pageland Township	1,500.00
	Cheraw Township	1,500.00
	Alligator Township	1,200.00
	Mt. Croghan Township	1,200.00
	Jefferson Township	1,200.00
	Cole Hill Township	1,200.00
	Pee Dee Township	750.00
	Steer Pen Township	750.00
	Brock's Mill District	750.00
	Travel and office supplies for magistrates @ $50.00 each per month	6,000.00
	Per diem and mileage of jurors and witnesses, bailiffs, court crier and other court attaches ...	7,000.00
	Provided, that the bailiffs and court crier shall be paid at the rate of fifteen dollars for each day of attendance on the court; *provided,* further, that the bailiffs and court crier and jurors shall be paid mileage both ways for each day of attendance on the court at the rate of seven cents per mile, *provided,* further, that magistrate court jurors in criminal cases shall be paid two dollars each, such payment to be made by the board of county commissioners on the certification of the magistrate and to be disbursed by the magistrate.	
	Total, Item 3	$ 24,550.00

Item 4.	Law Enforcement:	
	Sheriff, general salary	$ 4,400.00
	Sheriff, travel expense	2,280.00
	Salary, seven rural deputies @ $3,900.00 each	27,300.00
	Travel expense, seven deputies @ $600.00 each	4,200.00
	Uniforms for seven deputy sheriffs and radio operator, to be approved by the Sheriff	1,600.00
	Clerical assistants and radio operators for Sheriff's office	4,000.00
	Maintenance and operation of radios for Sheriff and deputy sheriffs and incidentals	1,800.00
	Jail expenses, including dieting of prisoners at $1.50 per day and incidents	9,000.00
	Cook for Jail	800.00
	Post Mortems, Inquests and Lunacies	1,000.00
	Officers' bond	1,800.00
	Magistrates' Constables:	
	Pee Dee Township	480.00
	Steer Pen Township	480.00
	Brock's Mill Township	480.00
	Maintenance and operation of cars owned by county and used by Sheriff's Department and Tax Collector	12,000.00
	Automobile insurance on automobiles of Sheriff's Department and transportation expense, other than automobile expense	1,200.00
	Secretary to probation officer	1,200.00
	To purchase four new automobiles for Sheriff's Department	8,200.00
	Provided, that such automobiles shall be purchased through the Division of General Services of the State Budget and Control Board.	
	Total, Item 4	$ 82,220.00
Item 5.	Contributions and Charity:	
	Maintenance of indigents	$ 6,000.00
	Charity hospital fund	10,000.00
	This fund shall be spent by the county board of commissioners, and shall be paid directly to the	

hospitals. Such aid shall be granted only to destitute persons upon a certificate from a reputable physician that such hospitalization is absolutely necessary. All applications to the county board of commissioners for benefits under the "hospital fund" herein provided shall be referred by the clerk of the board to the county welfare department, which shall make an immediate investigation and report its findings, conclusions and recommendations to the county commissioners. No application for hospital aid shall be approved unless and until it has been recommended by the director of the county welfare department; *provided,* that the clerk of the county board of commissioners and the Administrator of the Chesterfield County Memorial Hospital may authorize such aid when the physician certifies that an immediate hospitalization is necessary for an operation or other sufficient medical reason, but not otherwise; *provided,* further, that the application of the patient, the recommendation of the director of the county welfare department and the action of the board of county commissioners must be attached to and made a part of the voucher for the payment of all grants of aid under such hospital fund. When an emergency application for aid from the hospital fund has been granted by the clerk, or the board of county commissioners, as herein authorized, the certificate of the physician upon which the application was granted and the written authorization of the clerk must be attached to the warrant or voucher issued for payment of such aid. No authorization for hospital care shall be good for more than ten days unless reinvestigated and reapproved and the board of county commissioners shall have the authority to set maximums, both for per day and total care. The Treasurer of Chesterfield County is forbidden to pay any claim or voucher drawn against the hospital

fund unless it strictly complies with the terms and conditions herein prescribed, and has such proofs thereunto annexed, and the voucher and proof shall be retained as a permanent record.

Physicians' fees and drugs	1,000.00
County tuberculosis health nurse, supplies and incidentals	964.00
Three National Guard Companies, $1,000 each	3,000.00
Secretarial help, Soil Conservation Office	1,200.00
Chesterfield County Development Board	1,000.00
Chesterfield Garden Club, for county property beautification	100.00
Chesterfield County Rescue Squad, Cheraw unit $800.00, Chesterfield unit $800.00, Jefferson unit $1,500.00, Pageland unit $1,500.00	4,600.00
Total, Item 5	$ 27,864.00

Item 6. Chesterfield County Welfare Department:

Emergency relief	$ 1,000.00
Emergency board for children	1,000.00
Office rent	1,200.00
Telephone and telegraph	300.00
Fire insurance premium on office equipment	45.00
Contingent fund	500.00
Total, Item 6	$ 4,045.00

Provided, the board of commissioners is directed and required to supply the necessary fuel, lights and water for the county welfare office and to pay for the same out of the appropriation herein for water, fuel, lights, etc., for the maintenance of public buildings.

Item 7. General Contingent Fund ..... $ 15,000.00

Provided, that this amount, or so much thereof as is required, shall be expended to meet unforeseen emergencies and contingencies by the board of county commissioners; *provided,* further, that any claims, or items payable from this fund

shall be paid only upon approval in writing of a majority of the county legislative delegation.

Total, Item 7 ..... $ 15,000.00

Item 8. For annual county audit, not to exceed ..... $ 4,000.00
Provided, that the books and records of each school district shall be audited and the cost of such audit shall be paid for by the respective school district.

Total, Item 8 ..... $ 4,000.00

Item 9. Reassessment of property for tax purposes .... $ 40,000.00
Provided, that a tax assessor shall be immediately appointed by a majority of the county legislative delegation, who shall immediately upon appointment take complete charge of the tax reassessment program now in progress in Chesterfield County, with the authority to employ and discharge all employees of or for such program and set their respective salaries and mileage rate and make all other necessary expenditures for such program not to exceed the amount of this appropriation. This appropriation shall be spent by the tax assessor, who shall immediately upon appointment employ the required number of employees to expedite and complete this program at the earliest possible date, which shall not be later than June 30, 1966.

Total, Item 9 ..... $ 40,000.00

GRAND TOTAL $414,266.00

Estimated Revenue:

Gasoline Tax	$127,000.00
Liquor Tax	35,000.00
Beer and Wine Tax	9,000.00
Income Tax	58,000.00
Insurance License Fee	16,000.00
Bank Tax	3,000.00

Delinquent Tax	6,000.00
Magistrates' Fines	45,000.00
Clerk of Court	25,000.00
County Service Officer	4,815.00
Board of Commissioners	4,000.00
Probate Judge	2,100.00
Total Estimated Revenue	$334,915.00
Amount to be raised by taxation	$ 79,351.00

SECTION 2. All appropriations made and provided herein shall lapse, cease and terminate at the end of the fiscal year for which they are made except that appropriations for the payment of bonds or notes or interest on bonds or notes shall remain effective until such bonds, notes or interest are paid.

SECTION 3. The county commissioners are hereby required to keep a separate account covering the various items of the appropriations act and not to exceed in expenditure or contract the amount herein provided for each item, and for any such excess allowed or permitted, such officers shall be held liable on their official bonds. The clerk of the county board of commissioners shall make monthly statements of expenditures and balances of the different items, both to the board and to each member of the Legislative Delegation from Chesterfield County. Any contract made in violation of this act shall not be a valid claim against Chesterfield County.

SECTION 4. All departments of the county government shall make requisition of the county board of commissioners for all stationery, books, blanks and supplies and the board shall purchase and provide so much thereof as in its judgment is necessary and proper, and the board shall not approve any account or issue its voucher for any supplies, etc., purchased or ordered by any office or officers of the county. Nothing contained in this section shall be construed to authorize the board of county commissioners to make any disbursements in excess of the appropriation herein made. The office of the clerk of court is excepted from the provisions of this section.

SECTION 5. All purchases in excess of four hundred dollars of motor vehicles, trucks, tractors, road building and maintenance machinery and equipment and parts, replacements and repairs therefor,

and all commodities and supplies of any and every character for the use of the county, its departments, officers and agencies must be purchased by the board of county commissioners, upon sealed competitive bids or proposals, after publication of the invitations for bids or proposals therefor in a newspaper in Chesterfield County. All bids or proposals for the purchase of road building machinery shall be advertised in one or more newspapers published in the City of Columbia, S. C.

In advertising for bids the board of county commissioners shall prescribe specifications to be met. All bids or proposals must provide that sealed competitive bids or proposals will be publicly received by the board of county commissioners at a specific hour, on the named day, and that such sealed bids or proposals shall be then and there publicly opened and published. In all instances the lowest bids or proposals meeting specifications must be accepted or all bids or proposals rejected. The board of county commissioners may, at its option and in lieu of advertising for sealed competitive bids, contract for the purchase of motor vehicles, trucks, tractors, road building and maintenance machinery and equipment, and parts, replacements therefor, through the Division of General Services of the State Budget and Control Board, or may buy surplus property from any agency of the State or Federal Government. The board of county commissioners is hereby authorized and empowered to contract by public bids or proposals, as herein provided, for the commodities and supplies required for the period of a fiscal year, or any part thereof. All of such bids or proposals with the printer's proof of the advertisement for the bids shall be preserved by the clerk to the board of county commissioners as a permanent record in the office of the county commissioners.

SECTION 6. The board of County Commissioners may, in its discretion, waive the requirement that all claims be verified and, in lieu thereof, substitute an endorsement to be signed by the payee of the check issued on the claim whereby the payee certifies that the claim for which the check was issued was true and correct and has not been otherwise discharged.

SECTION 7. The county treasurer and clerk of court are required to file quarterly statements in duplicate with the county board of commissioners, which shall show the amount of fees collected by each of them. In addition the treasurer's report shall show the amount of cash

on hand, the amount of cash in banks, the name of the banks in which deposited; *provided,* that no county warrant for salary shall be issued to the clerk of court until such statement is filed as herein directed, and the provisions of this section shall apply to the county peace officers. *Provided,* further, that a copy of the treasurer's report shall be delivered by him to each member of the county legislative delegation and the chairman of the county sinking fund commission.

SECTION 8. All officers and employees of Chesterfield County are hereby expressly forbidden to contract to perform any work, or services, for the county, other than their regular employment, or to furnish any materials, or supplies, to the county, and any disbursement made in violation of the provisions of this section shall be unlawful, and any officer making any such contract, or disbursement, shall be liable to the county personally, and on his official bond, for and to the amount of any such contract or disbursement.

SECTION 9. The county auditor is directed to levy twelve mills tax for the Chesterfield County Board of Education, the funds derived from such tax to be used for the operation of the county board of education, for the insurance of school buildings, and for the purchase or rental of textbooks for the public schools of Chesterfield County.

SECTION 10. The county auditor is directed to levy such millage as may be necessary for the payment of principal and interest on bonds or notes of Chesterfield County, and on bonds of subdivisions of Chesterfield County which have heretofore been assumed by the county.

SECTION 11. The county auditor shall have the power and authority to levy such millage as may be deemed necessary to meet the absolute needs of the county, and is hereby directed to levy ten mills for the operation of the county.

SECTION 12. The County Treasurer of Chesterfield County is hereby authorized and directed to mail to every taxpayer of Chesterfield County, on or before October first, a statement of the amount of the 1965 taxes of such taxpayer. The notice shall show the school district and township in which the property of the taxpayer is assessed.

Such statement shall include a notice that a penalty of one per cent will be added to the taxes on January 1, 1966, one per cent on Feb-

ruary 1, 1966, and an additional one per cent on March 1, 1966, and an additional four per cent on April 1, 1966. The cost of mailing the notices shall be paid out of the ordinary county fund on the approval of the board of county commissioners. A second notice shall be mailed on or before April tenth.

An additional statement shall be included showing all levies in the taxpayer's particular school district.

SECTION 13. With the written approval of a majority of the legislative delegation, the Treasurer of Chesterfield County is authorized to borrow money from the South Carolina Division of General Services of the State Budget and Control Board in anticipation of the collection of county property taxes. Such loans shall be evidenced by notes signed by the treasurer and taxes shall be pledged for the repayment of the same.

SECTION 14. No county gasoline or oil shall be sold to any person or used in any privately-owned vehicle, except as otherwise herein provided.

SECTION 15. The board of county commissioners is authorized, on the filing with it of an official certificate of the county auditor that any taxpayer is entitled to a refund of taxes erroneously paid, to issue its voucher for the refund of the tax so erroneously paid. The certificate of the auditor must be annexed to the voucher for the payment of the claim. Such tax refund shall be paid out of the general county fund.

SECTION 16. The deputy sheriff, magistrates and constables and county game wardens, the State constables, the State Highway patrolmen, and all other State or county peace officers are hereby directed and required to report to the Sheriff of Chesterfield County, on or before the tenth day of the following month, a schedule or statement of all cases made by each of them before the Magistrate of Chesterfield County. The reports shall show the judgment and sentence imposed by the magistrate in each of such cases so reported and the money fines paid or collected from the defendant in each case. The sheriff and the treasurer shall compare such reports of law enforcement officers with the reports of the county magistrates to be filed monthly, and if there are any material or substantial discrepancies with respect to the monies collected and paid to the treasurer by the magistrates and the amounts of fines reported by such law enforcement officers, the county treasurer shall refer the matter to the solicitor for investigation. The

county treasurer is directed and required to refuse the payment of any voucher for the salary of any county magistrate or law enforcement officer until the reports have been made to the sheriff and the treasurer.

SECTION 17. The board of county commissioners is hereby directed and required to keep a separate itemized account of all expenditures and disbursements made for each office and department of the county government, and shall set out the same in the monthly report required by the provisions of Section 3 of this act.

SECTION 18. The board of trustees of each school district of Chesterfield County shall, within thirty days after the approval of the official budget of such school district by the county board of education, have the budget published at least once in a newspaper published in the school district, or in a newspaper published at the county seat, if there be no newspaper published in the particular school district; *provided,* that the county board of education shall adopt, prescribe and require the use of a uniform, standard and comprehensive form of school budget.

SECTION 19. The county board of commissioners shall annually make written recommendations to the county legislative delegation as to the amount of fidelity bonds and insurance coverage necessary to adequately protect the county.

SECTION 20. On or after July first of each year the Chesterfield County Board of Commissioners shall submit to the county treasurer a revised list of all property owners or tenants in the Windsor Park Subdivision and within thirty days of receipt of such list the county treasurer shall notify each property owner or tenant of the amount due. All such charges shall be paid to the county treasurer who shall issue his official receipt therefor. On or before March first of each year the county treasurer shall submit a list showing the names of all property owners or tenants who have failed to pay the sewage charge herein provided to the Chesterfield County Board of Commissioners who shall thereupon take proper action to enforce the payment of such charges. The clerk of court shall report to the county board of commissioners any transfer of property in the area which shall include the new owners' names and addresses.

SECTION 21. This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1965.

(R680, H1738)

No. 558

An Act To Provide For The Levy Of Taxes For Ordinary County And Road Purposes For Clarendon County For The Year Beginning July 1, 1965; To Provide For The Expenditure Of Such Taxes And Of Other County Revenues Collected During The Fiscal Year Ending June 30, 1966; To Authorize The Officers Of The County To Borrow Money In Anticipation Of Collection Of County And School District Taxes For The Year 1965 And Previous Years; To Provide For The Transfer Of Unexpended Monies To The General Fund; And Otherwise Relating To The Affairs Of The County And The School Districts Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. There shall be a levy upon the taxable property of Clarendon County for the purposes hereinafter specified as follows:

School District No. 1: A levy of forty-eight mills on all taxable property in the district.

School District No. 2: A levy of fifty-three mills tax on all taxable property in the district.

Provided, that of this levy five mills shall be reserved for the retirement of a loan by the Bank of Clarendon.

School District No. 3: A levy of seventy-nine mills tax on all taxable property in the district; *provided,* that of this levy twelve mills shall be to retire loan, Bank of Clarendon.

School District No. S-2: A levy of eight mills on all taxable property in the district.

Three mills of the tax hereinabove levied in each district shall be reserved by the Treasurer of Clarendon County for the retirement of the obligations of the Clarendon Memorial Hospital made pursuant to Part II of Act No. 517 of 1961. This levy shall be discontinued when this obligation has been paid in full.

(a) Auditor's Office:

Auditor	$ 1,300.00
Provided, this amount shall be varied if necessary, to provide a total salary to the Auditor from state and county of $5,400.00.	
Clerk to Auditor	2,600.00

	Extra Clerical Help on direct claim by extra clerk and approved by Auditor	400.00
	Total	$ 4,300.00
(b)	Clerk of Court's Office and Probate Judge:	
	Clerk of Court	$ 5,400.00
	Services as Probate Judge	900.00
	Deputy Clerk of Court and Probate Judge	2,750.00
	Clerk	2,600.00
	Clerk	2,600.00
	Clerk—Probate Judge's Office	2,600.00
	Record Books, Repairs, Supplies, Furniture, Equipment and Lighting	500.00
	Total	$ 17,350.00
(c)	Coroner's Office:	
	Coroner	$ 1,800.00
	Coroner, for telephone	60.00
	Travel Allowance	120.00
	Coroner's Jurors, $2.00 each to be paid out on warrants of the Coroner	400.00
	Expenses of Post Mortems, Inquests and Lunacy	500.00
	Total	$ 2,880.00
(d)	Sheriff's Office:	
	Sheriff	$ 5,400.00
	Sheriff, Travel Allowance	900.00
	Sheriff, Telephone	60.00
	Clerk	2,600.00
	Chief Deputy Sheriff	4,875.00
	Chief Deputy Sheriff, travel	1,100.00
	Chief Deputy Sheriff, telephone	60.00
	Second Deputy Sheriff	4,875.00
	Second Deputy Sheriff, travel	900.00
	Second Deputy Sheriff, telephone	60.00
	Third Deputy Sheriff	4,875.00
	Third Deputy Sheriff, travel	900.00
	Third Deputy Sheriff, telephone	60.00
	Travel outside county, to be paid on warrants signed by Sheriff for meals and lodging only	300.00

Fingerprint Supplies, Gun and Ammunition and other necessary police supplies	250.00
Secret Service Fund	200.00
Uniforms, to be expended on claims with invoices attached, $125.00 each	500.00
Automobiles and Communication System, Maintenance, Equipment and Repairs	800.00
Jailor	1,320.00
Jail Expenses and Supplies, including dieting of prisoners at $1.00 per day	4,000.00
Total	$ 34,035.00

(e) Superintendent of Education's Office:

School District No. 1—for operation and Maintenance of public school system for nine months, if so much be necessary	45,000.00
School District No. 2—for operation and maintenance of public school system for nine months, if so much be necessary	95,000.00
School District No. 3—for operation and maintenance of public school system for nine months, if so much be necessary	38,500.00
Superintendent of Education	200.00
Provided, this amount shall be varied if necessary to provide a total salary to the Superintendent of Education, from State and county of $5,400.00.	
Travel Allowance	900.00
Clerk to Board of Education	2,600.00
County Attendance Teacher, travel	1,080.00
School Lunch Supervisor, travel	420.00
Attendance Teacher for books and supplies for needy children	480.00
Distributive Education:	
Travel	655.00
Total	$184,835.00

(f) Supervisor's Office:

Supervisor	$ 5,400.00
Clerk	2,600.00

	Roads, bridges and convicts, Transportation and storage of Surplus Commodities	52,000.00
	Salary adjustment for county employees not specifically provided for herein	1,000.00
	Repairs to Machinery	6,000.00
	Expenses and supplies for making concrete pipe	3,000.00
	Total	$ 70,000.00
(g)	Tax Collector's Office:	
	Tax Collector	5,400.00
	Travel Allowance	900.00
	Clerk	2,600.00
	Total	$ 8,900.00
(h)	Treasurer's Office:	
	Treasurer	$ 1,300.00
	Provided, this amount shall be varied if necessary to provide a total salary to the Treasurer from State and County of $5,400.00.	
	Assistant to the Treasurer	2,750.00
	Extra Clerical Help on direct claim by extra clerk and approved by Treasurer	340.00
	Total	$ 4,390.00
(i)	Magistrates:	
	Magistrate—Manning	$ 2,900.00
	Magistrate—Summerton	2,575.00
	Rent and Telephone	144.00
	Magistrate—Salem	2,150.00
	Rent and Telephone	144.00
	Magistrate—Paxville	1,525.00
	Rent and Telephone	144.00
	Magistrates' Jurors in criminal cases only $2.00 per day and stenographer for trials to be expended on warrants of the magistrate	100.00
	(The above salaries in all of the above sections shall be in lieu of all fees and commissions provided for county officers, except those provided by law for magistrates in civil cases.)	
	Total	$ 9,682.00

(j)	Courthouse:	
	Public buildings, water, light, telephones including telephone in Supervisor's residence, also including insurance on courthouse and jail	$ 9,000.00
	Hospital Insurance for County Employees and Teachers	8,000.00
	Printing, postage and stationery	4,000.00
	Bond premiums	530.00
	Workmen's Compensation Insurance	2,000.00
	S. C. Retirement—County Officers	4,500.00
	Social Security	3,800.00
	Jurors and Witnesses	5,000.00
	Provided, Jurors shall be paid $6.00 per day.	
	Janitor	1,515.00
	Courthouse, Jail, Hospital and Health Center grounds, $100.00 each to be paid on itemized vouchers certifying expenditures as having been made	400.00
	S. C. Police Officers' Retirement	1,900.00
	Total	$ 40,645.00
(k)	County Health and Welfare Work:	
	Health Department, if so much be necessary	$ 6,443.00
	Vital Statistics	350.00
	T. B. Association Emergency Services	300.00
	Chest Clinic	720.00
	County Welfare Department:	
	Charity Hospitalization	10,000.00
	Emergency Fund	1,000.00
	Travel, Child Welfare Worker	780.00
	Charity Certification	1,500.00
	Drugs for T. B. Patients	500.00
	Total	$ 21,593.00
(l)	County Boards:	
	Clarendon Memorial Hospital Board	$ 600.00
	County Commissioners, two	720.00
	Board of Education (per diem) (Six Appt. Members)	720.00

	Board of Assessors, nine	1,800.00
	Board of County Welfare (per diem) $10.00 per meeting	360.00
	County Attorney	200.00
	Total	$ 4,400.00
(m)	Farm and Home Demonstration Agent:	
	Office Expense—County Agent	200.00
	County Agent, Salary Supplement	1,300.00
	Associate County Agent—Salary Supplement	500.00
	Assistant County Agent—Salary Supplement	500.00
	Clerk, County Agent—Salary	660.00
	Home Demonstration Agent, Salary Supplement	360.00
	Assistant Home Demonstration Agent, Salary Supplement	360.00
	County Short Course, Home Demonstration	50.00
	Clerk, Part-time, Home Demonstration	600.00
	Demonstration Materials, Home Demonstration Agent	50.00
	Boys' 4-H Club Work	200.00
	Girls' 4-H Club Work and Women's Work	200.00
	Negro Boys' 4-H Club Work	100.00
	Negro Girls' 4-H Club Work and Supplies	150.00
	Negro Home Demonstration Agent—Part Salary	1,328.00
	Office Expenses, Negro Agents	25.00
	Clerical Help, Negro Agricultural and Negro Home Agents	600.00
	Negro Home Agent Demonstration Supplies	50.00
	Total	$ 7,233.00
(n)	Miscellaneous:	
	Miscellaneous Contingent Fund	$ 3,500.00
	Manning Public Library, Countywide use	1,500.00
	National Guard Co., Maintenance Fund	1,200.00
	Circuit Judge, office expense	500.00
	Game Wardens, Travel, 5 @ $468.00 each	2,340.00
	Patrolmen, Telephone, $6.00 per month each patrolman residing in Clarendon County	442.00

Soil Conservation	1,000.00
To be spent on projects recommended by Clarendon Soil and Water Conservation District and approved by the Delegation.	
Forest Fire Warden	1,575.00
County Service Officer, salary	800.00
Total	$ 12,857.00
GRAND TOTAL	$423,100.00
Less Estimated Revenue other than Property Taxes:	
Income Tax	$ 52,000.00
Gasoline Tax	88,000.00
Alcohol Liquor Tax	31,000.00
Beer and Wine Tax	8,000.00
Bank Tax	2,200.00
Insurance Licenses	12,000.00
Property and Road Tax	255,000.00
Fines, Licenses and Fees:	
Auditor	150.00
Clerk of Court	16,000.00
Tax Collector	8,000.00
Sheriff	500.00
Magistrates	41,000.00
Miscellaneous	10,000.00
Total	$523,850.00
Excess of Revenue over Appropriation	$100,750.00

SECTION 2. All moneys which may hereafter come into the hands of the treasurer whether the same be from the tax levied herein or from other sources shall be deposited in the general fund of the county for the payment of the sums appropriated herein; *provided,* that the tax levied in School Districts No. 2 and No. 3 for the retirement of debts or bonds shall be kept in a separate fund.

SECTION 3. Expenditures from Item (k), Charity Hospitalization Appropriations, shall be made by the county treasurer upon orders or warrants in such forms as may be prescribed by him issued and signed in behalf of the county board of public welfare, for charity hospitalization and contributions toward the funeral expenses of

such needy residents of the county whose financial circumstances and the ability of whose relatives to pay the same have been fully investigated and determined by the board of public welfare.

SECTION 4. All appropriations herein made are subject to the right and authority of the Clarendon County Delegation to change, alter, increase or deduct therefrom at any time without notice, when in its judgment such change, alteration, increase or deduction is necessary for the best interest of the county or to conform with the revenue expected during the life of this act. This act is intended and is construed to make appropriations for the operation and activities of Clarendon County for the period beginning July 1, 1965, and ending June 30, 1966.

Balances from appropriations in former years, unexpended on August 1, 1965, shall terminate and end as of that date. The supervisor shall not spend or contract to spend in excess of any amount appropriated for any item, and he shall keep accurate records and books of account of all expenditures and contracts for expenditures in accordance with the classification and items as they appear in this act.

SECTION 5. The County Treasurer of Clarendon County, upon the unanimous written request of the school trustees of any school district in the county, and approved by the Clarendon County Legislative Delegation, is hereby authorized and empowered, in anticipation of taxes for the year 1965-66 and also in anticipation of the collection of uncollected taxes for prior years, to borrow for ordinary school purposes in such school district an amount not exceeding eighty per cent of the amount that will be raised by the tax levy for the year 1965-66 and the amount due on account of uncollected taxes, at a rate of interest not to exceed four per cent, and issue the promissory note or other obligation of the county therefor, and as security for the payment of the loan or loans to pledge the taxes to be collected for each school district for the year; *provided,* that the proceeds arising from the authority herein given shall be used solely for the payment of ordinary school expenses in keeping schools open in the respective school districts in the county until the schools can realize from the collection of taxes.

SECTION 6. No county officer charged with disbursing the funds herein provided shall expend or contract to spend under any general item any sum greater than the amount for each general item being

appropriated, without the written consent of the Clarendon County Legislative Delegation. Any violation of the provisions herein is hereby declared a malfeasance in office and such officer shall be subject to removal by the Governor upon the recommendation of the delegation. He shall be liable on his official bond for all such sums expended or contracted to be spent in excess of the appropriation without first getting the written consent of the delegation as hereinabove provided.

SECTION 7. All purchases of property or supplies of any kind ordinarily purchased within the county, for the use of the county of the value of two hundred dollars or more, shall be made only after ten days' notice inviting bids, the notice being posted on the bulletin board in front of the courthouse door, and all bids received pursuant to such notice shall be considered and acted upon by the board of county commissioners in open meeting. All printing, postage and stationery shall be first approved by the county board of commissioners before purchases or obligations are made.

SECTION 8. The county treasurer is hereby charged with the additional duty of keeping a record of all disbursements in accordance with the classification and items of the appropriations herein made; and the county supervisor shall enter upon each check or warrant drawn by him the name of the fund or appropriation against which it is drawn and by such entry the treasurer shall charge the expenditure upon his records.

SECTION 9. The county treasurer shall set up and keep sufficient books and records, in addition to such now kept or required by law, to fully comply with the foregoing section; and he shall refuse payment of any check or warrant in excess of the appropriation against which it is drawn; and not later than the tenth day of each calendar month thereafter he shall prepare a statement of the total amount paid out upon the various appropriation items, except salaries and other fixed lump sum appropriations, copies of which statement he shall deliver or mail to the supervisor, each member of the county board of commissioners and to each member of the county legislative delegation, and such statement shall include a statement of the cash balance of ordinary county funds in hand and the amounts invested stated separately.

SECTION 10. In the event that any appropriation item is exhausted before the end of the fiscal year covered by this act, and

in the opinion of the county board or county legislative delegation, additional funds are necessary for such purposes, the necessity and the grounds therefor may be presented to the county legislative delegation and the members thereof may authorize additional expenditures, and the written direction of said delegation will authorize the county treasurer to pay such excess amounts out of any available funds in his hand.

SECTION 11. Whenever it appears to the county board that a purchaser at a tax sale received nothing for his bid, because of double entries or other errors in the county records, it may refund the amount paid on account of such bids by approving a claim therefor against the county which may be paid from collections from forfeited lands or from the appropriation herein for contingent expenses, but nothing herein shall be construed as a warrant or representation by the county of the validity of any title acquired at tax sale now or hereafter.

SECTION 12. An audit of the office and records or any part thereof of the county may be had at any time in the fiscal year 1965-66 by the county legislative delegation and the expenses therefor paid on their written order to the supervisor and treasurer from any available funds in the hands of the latter.

SECTION 13. The auditor and treasurer of the county shall complete the necessary work in their respective offices in order to open the treasurer's books for the collection of the 1965 taxes on September 1, 1965, and the collection of the taxes shall begin on that date.

SECTION 14. No person, firm or corporation (except recipients from charity appropriation and except witnesses and jurors paid by the county) shall be paid any monies herein appropriated unless he or it shall first pay in full any and all outstanding tax executions against him or it or his or its property; *provided,* that such tax execution may be in monthly installments satisfactory to the tax collector. The board of county commissioners shall be responsible upon their respective official bonds for any violation hereof as for any other failure in the performance of their duties.

SECTION 15. The Towns of Manning, Summerton, Turbeville and Paxville may use the county jail for the confinement of their prisoners but shall be required to pay to the county the sum of one dollar per prisoner per day, which sum shall be remitted to the

county board of commissioners monthly by the Towns of Manning, Summerton, Turbeville and Paxville, together with the statement of the jailor of the names of the prisoners and the days each was confined.

SECTION 16. The county board of education shall appoint a qualified auditor annually for each of the school districts in Clarendon County, which audit shall be filed with the clerk of court. The trustees of each district shall make an agreement with the auditor so appointed as to the cost prior to commencement of the work and should they fail to agree then the county shall fix his compensation and in this event the county delegation may provide by written order for the payment of the same.

SECTION 17. All appropriations herein for the operation of the public school system shall cease and become inoperative for the time that any pupil or pupils shall by order of any court attend a school other than that which he or she is now attending or may be assigned by local board of trustees or other governing body of such school. This provision shall not in any way affect the operation of any school other than the schools affected by such court order.

SECTION 18. The forest fire warden provided herein shall be appointed by the Governor upon the written recommendation of a majority of the Clarendon County Forestry Board and approved by the Delegation, and shall discharge such duties as said board shall impose upon him from October fifteenth each year to the following March fifteenth. The appointment hereunder shall be for a term of two years. The forest fire warden provided for herein may be removed by the Governor upon the request of the Clarendon County Forestry Board and concurrence of the delegation to that effect. The forest fire warden shall have the same power as the deputy sheriffs.

End of Part I

PART II

Permanent Provisions

SECTION 1. The Board of Trustees of School District No. 3 of Clarendon County is hereby authorized and empowered to extend a loan currently outstanding from the Bank of Clarendon, Manning, South Carolina, for one additional year beyond its present maturity

date. Taxes pledged to the repayment of this obligation shall remain so pledged for the additional period.

End of Part II

This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1965.

(R126, H1282)

No. 559

An Act To Provide That Colleton County May Borrow Up To One Hundred Fifty Thousand Dollars For General County Purposes And To Provide For The Payment Of The Loan.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Colleton County may borrow money.—Colleton County may borrow from any lending institution within the county up to one hundred fifty thousand dollars to be used for general county purposes with the approval of the county legislative delegation. Interest on the loan shall not exceed four per cent and shall be retired in ten annual equal instalments provided that the loan may be paid off in full on any annual instalment date. The note evidencing the obligation shall be signed by the county treasurer. It is the intent of this act that amounts up to the one hundred fifty thousand dollar limit may be borrowed from time to time by the county as provided herein.

SECTION 2. Payment.—In order to provide for the payment of the loan and interest thereon the auditor of the county is authorized to levy and the treasurer to collect an annual tax upon all of the taxable property of the county sufficient to retire the loan plus interest within a period of ten years. The entire proceeds of this levy shall be paid annually to the party from whom the money is borrowed and shall be applied on the principal and interest of the notes given to secure the loan until the debt with interest is paid in full. The full faith, credit and taxing power of Colleton County are irrevocably pledged to the payment of the loan.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of March, 1965.

(R134, S129) **No. 560**

An Act To Provide That Colleton County May Borrow Up To One Hundred Fifty Thousand Dollars For General County Purposes And To Provide For The Payment Of The Loan.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Colleton County may borrow money.—Colleton County may borrow from any lending institution within the county up to one hundred fifty thousand dollars to be used for general county purposes with the approval of the county legislative delegation. Interest on the loan shall not exceed four per cent and shall be retired in ten annual equal instalments provided that the loan may be paid off in full on any annual instalment date. The note evidencing the obligation shall be signed by the county treasurer. It is the intent of this act that amounts up to the one hundred fifty thousand dollar limit may be borrowed from time to time by the county as provided herein.

SECTION 2. Payment.—In order to provide for the payment of the loan and interest thereon the auditor of the county is authorized to levy and the treasurer to collect an annual tax upon all of the taxable property of the county sufficient to retire the loan plus interest within a period of ten years. The entire proceeds of this levy shall be paid annually to the party from whom the money is borrowed and shall be applied on the principal and interest of the notes given to secure the loan until the debt with interest is paid in full. The full faith, credit and taxing power of Colleton County are irrevocably pledged to the payment of the loan.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 5th day of March, 1965.

(R230, S215) **No. 561**

An Act To Validate And Confirm A Deed Of Conveyance From The Walterboro-Colleton County Airport Commission To The Colleton Industrial Corporation, Incorporated, Dated February 23, 1965, And Recorded In The Office Of The Clerk Of Court For Colleton County On March 3, 1965.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Deed of Walterboro-Colleton Airport Commission validated.—The deed of conveyance from the Walterboro-Colleton County Airport Commission to the Colleton Industrial Corporation, Incorporated, dated February 23, 1965, and recorded in the office of the Clerk of Court for Colleton County on March 3, 1965, in Book 137, page 414, conveying

> All that certain piece, parcel or tract of land, being a portion of the old Walterboro Army Airbase, situate, lying and being near the Town of Walterboro, in the County of Colleton, State of South Carolina, containing One Hundred Seven and six hundred ninety-two one thousandths (107.692) acres, more or less, and bounded as follows: On the Northeast by other lands of Walterboro Colleton Airport Commission; on the Southeast by State Road No. 21, leading from Walterboro to Sidneys; on the Southwest by Tampa Avenue; and on the Northwest by Patterson Loop and other lands of Walterboro Colleton Airport Commission; as reference to a plat thereof prepared by G. E. Miley, Jr., Registered Land Surveyor, of date August 18, 1964, will more fully show;

is hereby validated and confirmed and declared legal in all respects.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of April, 1965.

(R245, H1448)

No. 562

An Act To Vest In Colleton County The Title To All Properties Owned By The Colleton County Hospital In The Event Of Its Dissolution.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Disposition of Colleton County Hospital property.—Should the Colleton County Hospital be dissolved, the title to all properties owned by the hospital shall be vested in Colleton County.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of April, 1965.

(R301, S60)

No. 563

An Act To Authorize The Treasurer And Supervisor Of Colleton County To Borrow Not Exceeding One Hundred Fifty Thousand Dollars To Be Used For County Purposes And To Provide For The Payment Of The Loan.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Colleton County may borrow money.—The Treasurer and Supervisor of Colleton County are authorized to borrow for county purposes not exceeding one hundred fifty thousand dollars, which sum shall be borrowed from any source. The amount borrowed shall be evidenced by a note executed by the treasurer and supervisor of the county. The note shall bear interest at a rate not to exceed four per cent per annum and shall be payable in ten equal, annual, successive installments, with the first installment to be payable two years from the date of the note. The borrower reserves the right to anticipate the payment of part or all of this loan on any annual installment date.

SECTION 2. Payment.—For the payment of the note, the Auditor of Colleton County shall levy and the treasurer shall collect an annual tax on all of the taxable property of the county sufficient to retire the loan and interest due thereon, and when the loan, together with all interest, has been fully paid the levy provided herein shall be terminated.

The full faith, credit and taxing power of the county are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of April, 1965.

(R365, S284)

No. 564

An Act To Grant A Charter Of Incorporation To The First Baptist Church Of Walterboro.

Whereas, a Concurrent Resolution was introduced in the Senate and adopted by the House of Representatives authorizing the introduction of a Bill to grant a charter of incorporation to the First Baptist Church of Walterboro. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Charter granted to First Baptist Church of Walterboro.—A charter of incorporation is hereby granted to the First Baptist Church of Walterboro.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 5th day of May, 1965.

(R416, S302)

No. 565

A Joint Resolution To Appoint A Committee In Colleton County To Study The Needs Of A College Extension For The County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Committee created to study need of a college extension for Colleton County.—There shall be appointed by the Colleton County Legislative Delegation, including the Senator, a committee composed of five members from among the legal residents of the county to study the feasibility of having a college extension in Colleton County. The committee shall meet as soon as practicable after its appointment and shall select a chairman and such other officers as it may deem necessary. The members of the committee shall be allowed the usual per diem, mileage and subsistence as provided by law for members of boards, committees and commissions. The committee shall report to the legislative delegation as soon as practicable after the beginning of the 1966 session of the General Assembly.

SECTION 2. Appropriation.—There is appropriated from the general fund of the county the sum of five hundred dollars, or so much thereof as may be necessary, to defray the expenses of the committee.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of May, 1965.

(R620, S285) **No. 566**

An Act To Authorize The County Board Of Education Of Colleton County To Borrow Not Exceeding One Hundred Thousand Dollars For The Purpose Of Constructing And Equipping Additional School Buildings Or Classrooms, And To Provide For The Payment Of The Loan.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Colleton County Board of Education may borrow money.—The Colleton County Board of Education is authorized to borrow not exceeding one hundred thousand dollars for the purpose of constructing and equipping additional school buildings or classrooms, and for that purpose is authorized to issue and sell negotiable notes at either public or private sale. The notes shall be executed on behalf of the Colleton County Board of Education by the chairman of the board and by the Treasurer of Colleton County. The notes shall bear interest at a rate not exceeding four per cent from the date thereof, such interest to be paid annually, and the notes shall provide that they may be anticipated in whole or in part on any anniversary date thereof. The notes shall be sold for not less than par and accrued interest, and final maturity date thereof shall not be longer than six years from the date thereof.

SECTION 2. Payment.—For the payment of the principal and interest of the notes, the full faith, credit and taxing power of the School District of Colleton County is irrevocably pledged.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of June, 1965.

(R634, H1615)

No. 567

An Act To Authorize The Treasurer Of Colleton County To Borrow Not Exceeding One Hundred Thousand Dollars For School And Ordinary County Purposes, And To Provide For The Payment Of The Loan.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Colleton County may borrow money.—The Treasurer of Colleton County is authorized to borrow not exceeding one hundred thousand dollars for school and ordinary county purposes and for that purpose is authorized to issue and sell negotiable notes at either public or private sale. The notes shall be executed on behalf of the Colleton County Board of Education and Colleton County by the Treasurer of Colleton County. The notes shall bear interest at a rate not exceeding four per cent from the date thereof, such interest to be paid annually, and the notes shall provide that they may be anticipated in whole or in part on any anniversary date thereof. The notes shall be sold for not less than par and accrued interest, and final maturity date thereof shall not be longer than six years from the date thereof.

SECTION 2. Payment.—For the payment of the principal and interest of the notes, the full faith, credit and taxing power of the School District of Colleton County and Colleton County are irrevocably pledged.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of June, 1965.

(R711, H1850)

No. 568

An Act To Provide For The Levy Of Taxes For County And School Purposes For Colleton County For The Year Beginning January 1, 1965, And The Expenditure Thereof During The Fiscal Year July 1, 1965, To June 30, 1966, And Pertaining To The Fiscal Affairs Of The County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. A tax sufficient to pay appropriations hereinafter made for the fiscal year 1965-1966 is hereby levied upon all the taxable property in Colleton County for county and school purposes for the calendar year commencing January 1, 1965, for the amounts and purposes hereinafter set forth.

Item 1.	(a) Roads, bridges, convicts' maintenance, gang, equipment and material, purchase of concrete pipe, repairs, parts, tires and machinery, and including salary increases for road employees	$ 80,200.00
	(b) Repairs and maintenance on public landings	1,250.00
	(c) Repairs on machinery	2,000.00
	(d) Balance on machinery note	3,511.34
	Total, Item 1	$ 86,961.34
Item 2.	Salaries, mileage and expenses:	
	(a) Clerk of Court	$ 5,623.80
	Deputy Clerk of Court	3,249.50
	Clerical assistance	2,920.05
	Payments on duplicating machine	426.00
		12,219.35
	(b) Sheriff	5,948.25
	Deputies, three at $4,400.00 each	13,200.00
	Clerk to Sheriff or additional Deputy	2,920.05
	Process Server	2,000.00
	Mileage for Process Server	600.00
	Gasoline, oil and maintenance	4,200.00
	Maintenance of said automobile shall be under the direction of the County Supervisor.	
	Teletype paper for teletypewriter	100.00
	Radio maintenance and service at jail	400.00
	Care and maintenance of bloodhounds	200.00
	Maintenance and operation of county boat	350.00
	Uniforms	400.00
	Sheriff's expense account	300.00
		30,618.30

(c) Treasurer (county's portion)	3,402.35
Clerk to Treasurer	2,920.05
Extra clerical help for Treasurer	2,920.05
	9,242.45
(d) Auditor, salary and travel (county's part)	3,402.35
Deputy Auditor	5,407.50
Clerk to Auditor	2,920.05
Extra clerical help to Auditor	2,781.00
Travel by Deputy Auditor	1,200.00
	15,710.90
(e) Delinquent Tax Collector, salary	2,811.90
Delinquent Tax Collector, travel	1,800.00
Clerk to Delinquent Tax Collector	2,433.38
	7,045.28

Provided, the Delinquent Tax Collector shall also receive one dollar for each tax execution collected by him, payable by the County Treasurer from tax execution costs collected by the Delinquent Tax Collector.

(f) Coroner	1,504.52
Travel	600.00
	2,104.52
(g) Supervisor	5,623.80
Expenses of Supervisor for travel	1,200.00
Contingent fund	2,000.00
Two County Commissioners at $66.62 each, monthly	1,598.88
Travel for two County Commissioners	300.00
For Clerk to Supervisor	2,920.05
Extra Clerk, as needed, on a per diem basis but not to exceed	1,800.00
	15,442.73

(h)	Attorney for county	973.25
	Expenses for travel and reciprocal nonsupport cases	300.00
		1,273.25
(i)	Judge of Probate	4,217.85
	Deputy Judge of Probate or Clerk	3,249.50
	For use of Probate Judge in child placing work to give temporary relief pending children being permanently placed, to be disbursed on his claims	300.00
		7,767.35
(j)	Expert to grand jury	100.00
		100.00
(k)	Magistrates, seven at $493.16 each	3,452.12
	Expense accounts to be paid in four equal quarterly installments, seven at $180.00 each	1,260.00
	One at Walterboro	2,619.39
	One at Green Pond	973.25
	Expense account to be paid in four equal quarterly installments of $36.00	144.00
		8,448.76
(l)	Constables, five at $409.89	2,049.45
	One at Walterboro	1,297.80
	Extra clerical help and mileage	1,297.80
	One at Warren Township	675.94
	One at Canadys	556.97
	One at Sheridan and Glover Townships	556.97
	Expenses for Constables for conveying prisoners by the most practicable routes of travel at the rate of seven cents per mile each way, and no constructive mileage to be charged	375.00
		6,809.93

Provided, that Constables shall receive for service of civil process from the party instituting an action mileage charges at the rate of seven cents per mile, which charges shall be retained by Con-

	stable and shall be collected by the Constable prior to service of process. *Provided,* further, that in no event shall the mileage charges be less than twenty-five cents.	
	(m) County Boards:	
	Board of Tax Appeals	1,000.00
	Board of Registration	1,434.30
	Development Board	7,500.00
		9,934.30
	(n) Janitors for all public buildings including library, to be employed, work assigned and salaries fixed by County Supervisor	5,768.00
		5,768.00
	Total, Item 2	$132,485.12
Item 3.	Jail expenses, including all maintenance, lights, water, fuel, etc.	$ 4,000.00
	Jailer, extra compensation to be paid in monthly installments, see mandatory proviso below	781.77
	Provided, the jailor may make contracts with municipalities in Colleton County to diet prisoners. *Provided,* further, that municipalities making such contracts must pay 25¢ per day per prisoner to the County Supervisor for County General Fund purposes for jail building maintenance, said sums to be accounted quarterly.	
	Dieting prisoners, $1.00 per day, per prisoner, but not to exceed	5,500.00
	Total, Item 3	$ 10,281.77
Item 4.	Court expenses, jurors and witnesses	$ 6,000.00
	Civil and Criminal Court, Judge's salary	3,893.40
	Court Reporter, upon Court Order	648.90
	Provided, Grand and Petit Jurors and Bailiffs shall be paid five dollars per day for every day in attendance upon court and mileage as provided by law.	
	Total, Item 4	$ 10,542.30

Item 5.	Emergency Assistance Fund, to be expended by County Department of Public Welfare under rules and regulations made by the County Board of Public Welfare	$ 3,500.00
	To be paid by Supervisor as needed by proper voucher of Department of Public Welfare.	
	Telephone, Department of Public Welfare	95.00
	Provided, not exceeding fifty dollars shall be paid for each pauper funeral.	
	Salary adjustment for staff	3,060.00
	Total, Item 5	$ 6,655.00
Item 6.	Post Mortems, inquests and lunacies	$ 1,100.00
	Total, Item 6	$ 1,100.00
Item 7.	Bond premiums for public officials	$ 1,500.00
	Total, Item 7	$ 1,500.00
Item 8.	Public buildings, including water, fuel, lights and insurance	$ 9,000.00
	For caretaker for courthouse and jail grounds	138.60
	Provided, the Supervisor shall furnish fertilizer and labor for maintaining shrubbery and flowers. *Provided,* further, that the Supervisor may use the rents to be collected for the use of public buildings to supplement the funds herein appropriated for public buildings.	
	Maintenance man	2,835.00
	Total, Item 8	$ 11,973.60
Item 9.	(a) Printing, postage, books, stationery, including Magistrates' blanks, upon proper voucher	$ 9,400.00
	(b) Publication of Supervisor's reports	200.00
	The Delinquent Tax Collector shall add to the cost of each tax sale the cost of publication and collect the same from each tax sale for the General Fund of the county.	
	Total, Item 9	$ 9,600.00

Item 10. Health:		
(a) County Health Department (including rabies control $500.00), but not including Health Officer's salary	$	17,379.90
Provided, the above amount shall be expended under a budget prepared by the Health Department and approved by the Delegation, and shall be paid in twelve equal monthly installments upon voucher of County Health Department.		
(b) Colleton T. B. Association, upon voucher signed by president and executive secretary of the association for T. B. patients		500.00
Total, Item 10	$	17,879.90
Item 11. Club work and Demonstration expenses:		
(a) Boys' 4-H Club activities, including camp and supplies for County Agent's office	$	500.00
(b) Women's and girls' short courses, Winthrop trip and prizes for women		400.00
(c) Miscellaneous for Home Demonstration Agent's office		150.00
(d) Supplement, Farm Agent's salary		528.00
(e) Supplement, Associate Farm Agent's salary		300.00
(f) Supplement, Farm Agent's stenographer, salary		396.00
(g) Supplement, Home Agent's stenographer, salary		198.00
(h) Future Farmers of America		50.00
(i) For prizes, Livestock Show at Walterboro, to be expended by Colleton County FFA Federation		500.00
(j) 4-H Livestock Show		250.00
(k) For Negro Farm and Home Demonstration work and for 4-H activities, to be expended under direction of County Agent, including Livestock Show		2,842.00
(l) Telephone and extension—Home Agent's Office		114.24
(m) Telephone—Negro Agent's office		129.84
Total. Item 11	$	6,358.08
Item 12. Workmen's Compensation, Retirement and Social Security:		
(a) Workmen's Compensation Insurance	$	4,600.00

(b) Employer's portion, retirement of county employees		8,600.00
(c) Employer's portion, Social Security on county employees		7,200.00
Total, Item 12		$ 20,400.00
Item 13. Tax Refunds:		
Fred P. Steedly, Jr.	$	4.28
Clyde O. Ackerman, Jr.		7.06
Charles J. McRee		16.24
VonLehe Crosby		5.04
P. J. Maxey		7.20
Henry Frasier		4.00
Raymond Nettles		5.04
Ernest Burke		5.76
H. E. McTeer		25.20
Joe Pinckney		7.36
Asten Hill Mfg. Co.		73.44
Edith H. Pontiers		120.95
Total, Item 13	$	281.57
Item 14. Colleton County Memorial Library:		
Chief Librarian Certified, County portion	$	4,892.50
Four Assistant Librarians		9,473.94
Junior Intern		250.00
Bookmobile expenses		800.00
Books		4,000.00
Supplies		500.00
Conference and workshop expenses		200.00
		20,116.44
Less expected revenue:		
Town of Walterboro	$	900.00
State of South Carolina		1,500.00
		2,400.00
Total, Item 14		$ 17,716.44

Item 15.	Miscellaneous:	
	(a) County Civil Defense, to be expended upon voucher of Chairman, Colleton County Civil Defense	$ 300.00
	(b) Annual Audit	1,500.00
	(c) Company Maintenance Fund, National Guard Unit	1,000.00
	(d) Supplemental salary, Director of Public Welfare	396.00
	(e) Historical Society	500.00
	(f) Colleton Soil Conservation District—special services	1,000.00
	(g) Bookmobile payment	2,088.00
	(h) Coastal Mental Health Commission—county's portion	6,604.00
	(i) County Forestry Unit	1,000.00
	Total, Item 15	$ 14,388.00
Item 16.	Schools:	
	County's portion of support of public schools	$537,896.00
	County's teachers' supplement shall be 20% of the 1965-1966 State Aid Schedule.	
	Less estimated State, Federal and miscellaneous aid	196,620.00
	Less additional State aid	50,000.00
	Net appropriations to be raised by property tax for schools	291,276.00
	GRAND TOTAL	$639,399.12
	Less estimated revenue, other than from property taxes:	
	Gasoline tax	$110,000.00
	Commutation road tax	5,000.00
	Fines, licenses, fees	56,500.00
	State Insurance tax	15,000.00
	Receipts from beer, wine and alcoholic beverages	37,000.00
	Bank tax	1,500.00

Portion of income tax from State	45,000.00
Transfer of delinquent taxes	25,000.00
Total estimated revenue	$295,000.00
Amount to be raised by property taxation for general purposes and schools	$344,399.12

SECTION 2. The County Treasurer is hereby authorized and directed to pay out of the Special Reserve Fund, upon proper voucher, the following items:

A. Purchase of Trucks—supervisor	$ 9,432.90
Provided, the Supervisor shall sell the existing trucks at the highest price obtainable and such amount shall be paid to the Special Reserve Fund.	
B. Purchase of tools and welding outfit	392.52
C. Purchase of typewriter for Treasurer's office	389.60
D. Purchase of cabinet for auditor's office	1,655.00
E. Purchase of mattresses for jail	1,340.00
F. Repairs and renovation of jail	10,705.47
Provided, prison labor shall be used for the repairs and renovation when practicable.	
G. Willow Swamp Water Shed District—Colleton's portion	2,500.00
	$ 26,415.49

SECTION 3. The county treasurer, after applying all current cash revenues, is hereby authorized and empowered to pay from the special reserve or surplus fund any items of the appropriations made in Section 1 hereof which may be expended before the collection of taxes for the year 1965 and before other current revenues shall accrue in sufficient amount to pay such appropriations; but the county treasurer, when taxes are collected and current revenues are received sufficient for such purposes, shall reimburse the special reserve or surplus fund for any monies expended therefrom for the purpose of paying such appropriations.

SECTION 4. The county auditor shall determine the amount of tax levy necessary to pay the appropriations hereinabove made and

for debt services and shall use same in preparing the tax books for Colleton County.

All provisions of law requiring monies derived from the collection of delinquent taxes to be paid into the Special Reserve Fund of the county are hereby suspended insofar as they relate to the funds to be derived from the collection of delinquent taxes for the tax year of 1964, and the county treasurer shall apply to the appropriations provided for in this act all delinquent taxes to be collected for the tax year 1964 as they are received by the County Treasurer. This provision shall apply only to the delinquent taxes for the year 1964 and hereafter all provisions of law pertaining to the disposition of monies obtained from the collection of delinquent taxes shall apply.

SECTION 5. If any of the items, or portions thereof, for which funds are herein appropriated should be assumed by the State and appropriations therefor be made by the State, or if the same shall become available in any other manner, then the amounts for such purposes herein appropriated shall be paid to the special reserve fund in the amount herein appropriated if the State appropriations or other available funds be sufficient for that amount, and, if the State appropriations or other available funds should not be sufficient, then only so much of the funds herein appropriated as may be necessary shall be used with the balance to be paid to the special reserve fund.

SECTION 6. All funds received by the county from whatever source realized above the amount necessary to pay the appropriation hereinabove made, all unused amounts of appropriations for previous fiscal years and the proceeds of all delinquent tax collections for prior years not otherwise pledged shall be transferred by the treasurer to the special reserve fund as now provided by law.

SECTION 7. The county supervisor is authorized and directed to call to his assistance in maintaining the courthouse and other public grounds the Campbell Ashley Garden Club, and to furnish plants, fertilizer and labor for the beautification of the grounds.

SECTION 8. The county superintendent of education shall, no later than the first day of August of each year, furnish to the county treasurer and to members of the county legislative delegation an itemized statement of receipts and disbursements, including salaries and all purchases, made by the county department of education, including the two areas of administration for the previous fiscal year; and he also,

on or before the first day of February of each year, shall furnish to said parties a like statement for the first six months of the then current fiscal year.

SECTION 9. The county treasurer shall retain to the credit of the general funds all fine monies received, except the amount necessary to pay the county's (employer's) portion for the county peace officers to be members of the South Carolina retirement system.

SECTION 10. The county supervisor is hereby authorized to grant up to ten days' annual leave with pay to county employees and up to ten days' annual sick leave with pay, provided the employee is under a doctor's care, such sick leave to be cumulative but not to exceed a total of twenty days.

SECTION 11. This act shall take effect upon approval by the Governor.

Approved the 17th day of June, 1965.

(R406, H1572) **No. 569**

An Act To Extend The Shad Season In Darlington And Florence Counties To May Twentieth For The Year 1965 Only.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Shad season extended in Darlington and Florence Counties.—The shad season in Darlington and Florence Counties is extended to May twentieth for the year 1965 only.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of May, 1965.

(R627, S405) **No. 570**

An Act To Create The Darlington County Historical Commission And To Provide For Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Darlington County Historical Commission created.—There is hereby created the Darlington County Historical Commission, to be composed of seven members, who shall be appointed by the Governor upon the recommendation of the majority of the county legislative delegation, including the Senator. The original appointments shall be made as follows: two for a term of two years, two for a term of four years and three for a term of six years; thereafter all appointments shall be made for six years. All vacancies shall be filled in the manner of the original appointment for the unexpired portion of the term only.

SECTION 2. Officers.—The members of the commission shall elect one of its members as chairman and such other officers as it deems necessary. The officers so elected shall serve for one year or until their successors have been elected.

SECTION 3. Powers and duties.—The commission shall have the following powers and duties:

(1) To procure such documents, transcripts and other materials relating to the county as it may deem necessary or important;

(2) To take care and custody of the archives of the county;

(3) To adopt a seal and make rules for its own government;

(4) To have direction and control over the marking of historical sites;

(5) To acquire historical sites by purchase or otherwise at its discretion;

(6) To accept donations;

(7) To employ a secretary, who shall serve at the pleasure of the commission, receive such remuneration as the commission may determine and perform such duties as the commission may direct; and

(8) To do such other things as may be necessary to carry out the intent of this act.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R651, H1688)

No. 571

An Act To Make Supplemental Appropriations For Technical Education Purposes For Darlington County's Share Of The Operating Budget For The Florence-Darlington Technical Center; To Provide For The Expenditures Thereof; And To Provide For The Levy Of A Sufficient Tax To Supply The Sum Appropriated Herein.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The auditor shall levy and the treasurer shall collect a tax on all taxable property of Darlington County sufficient to pay the appropriation provided herein.

SECTION 2. The Florence-Darlington Technical Education Commission shall file with the county board of education an itemized budget of the operating expenses of the Florence-Darlington Technical Education Center for the fiscal year ending June 30, 1965, and each year thereafter, prior to submitting a claim for the funds provided in this act. The county board shall examine the itemized budget and its approval shall constitute the authority and direction to the county auditor to levy the tax provided for in Section 1 upon all taxable property in Darlington County sufficient to provide the funds required by the approved budget.

SECTION 3. The funds herein provided shall be expended by the county treasurer upon the request of the Florence-Darlington Technical Education Commission through the office of the superintendent of education.

SECTION 4. This act shall take effect upon approval by the Governor.

Approved the 19th day of June, 1965.

(R691, H1857)

No. 572

An Act To Provide For A Referendum In The Town Of Lamar In Darlington County As To The Issuance Of General Obligation Bonds In The Amount Of Two Hundred Fifty Thousand Dollars; To Provide For Their Issuance, Should The Vote Be Favorble,

For The Purpose Of Improving And Expanding Its Waterworks System; And To Provide For Payment Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Town of Lamar—referendum concerning bond issue.—The Town Council of the Town of Lamar in Darlington County shall cause a referendum to be held within the municipality not later than sixty days from the effective date of this act to determine the wishes of the qualified electors as to whether or not general obligation bonds of the town in an amount not to exceed two hundred fifty thousand dollars shall be issued for the purpose of improving and expanding its waterworks system.

The referendum shall be conducted under the provisions of the general election law insofar as is applicable.

SECTION 2. Bonds to be issued if election favorable.—Should a majority of those voting in the referendum provided in Section 1 vote in favor of the issuance of the bonds, then and in that event the town council shall be empowered to issue from time to time general obligation bonds of the town within the applicable constitutional debt limit of the town, but in no event in excess of two hundred fifty thousand dollars, for the purpose of improving and expanding its waterworks system.

SECTION 3. Maturity.—All bonds issued pursuant to this act shall mature in such annual series or installments as the council shall provide, except that the first maturing bonds shall mature within three years from the date of issue; not less than three per cent of the bonds shall mature in each year; and no bond shall mature later than twenty-five years from the date of issue.

SECTION 4. Redemption.—Any bond issued pursuant to this act may be issued with a provision permitting its redemption prior to its stated maturity, at par and accrued interest, plus such redemption premium as may be prescribed by the council, but no bond shall be redeemable prior to its stated maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of such bonds, provision shall be made specifying the manner of call and the notice thereof that must be given as to bonds made redeemable prior to their stated maturities.

SECTION 5. Form.—The bonds issued pursuant to this act shall be in the form of negotiable coupon bonds, payable to bearer, but may

be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Darlington County, upon such conditions as the council may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instrument law.

SECTION 6. Where payable.—The bonds issued pursuant to this act shall be made payable at such place or places, within or without the State, as the council shall provide.

SECTION 7. Interest.—Bonds issued pursuant to this act shall bear interest at rates determined by the council.

SECTION 8. Denominations.—The bonds and the coupons to be thereunto attached shall be in such denomination and shall be executed in such manner as the council shall by resolution prescribe.

SECTION 9. Sale.—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. Such published notice shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 10. Payment.—For the payment of the principal and interest of all bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the town shall be irrevocably pledged, and there shall be levied and collected annually in the same manner as town taxes are levied and collected, on all taxable property in the town, a tax sufficient to pay the principal and interest of the bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

SECTION 11. Exempt from taxes.—The principal and interest of bonds issued pursuant to this act shall have the tax-exempt status prescribed by Section 65-4.1, Code of Laws of South Carolina, 1962.

SECTION 12. Proceeds.—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of the Town of Lamar and shall be expended upon the warrant of the council. Such proceeds shall be expended as follows:

(a) Any accrued interest shall be applied to the payment of the first installment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first installment of principal of such bonds.

(c) The remaining proceeds shall be expended for the following purposes:

(1) To defray the cost of issuing the bonds authorized by this act; and

(2) To provide for improvement and expansion of the waterworks system of the town.

(d) If, after the final completion of the council's program, the council shall certify to the treasurer of the town that any remaining balance in the bond account is no longer needed for its program, then such balance shall be held by the treasurer and used to effect the retirement of bonds then outstanding, which shall have been issued pursuant to this act.

Pending any use of funds it shall be lawful for the council to cause the same to be invested in obligations of the United States, or any agency thereof, having a maturity of not more than two years from the date when such investments shall be made. In order to effect such investment, the council shall be empowered to withdraw from the treasurer the entire proceeds of any bonds that may be issued and to cause the same to be deposited with any corporate trustee who shall hold the same as trust funds to be invested in the manner that the council shall direct.

Any income resulting from such investment may, in the discretion of the council, be returned to the treasurer and used by him to meet the debt service of any bonds so issued, or, in the discretion of the council, be applied, together with the principal proceeds of the bonds, to improving or expanding the waterworks system.

SECTION 13. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R695, H1696)

No. 573

An Act To Appropriate A Sum Of Money For Educational Purposes In Darlington County For The Fiscal Year 1965-66; To Provide For The Expenditure Of The Sum And Other Funds; To Provide For The Levy Of A Tax Sufficient To Pay The Sum

Appropriated Herein; To Require The Submission Of A Budget By The Board Of Trustees Of Darlington County School District; And To Provide A Supplement Income.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The sum of thirty-four thousand four hundred eight dollars and fifty cents is hereby appropriated from the general fund of Darlington County for educational purposes for the county fiscal year 1965-66. The sum shall be expended for the following purposes:

Item 1.	Travel expenses, County Superintendent of Education	$ 700.00
Item 2.	Bookkeeper and secretary	3,300.00
Item 3.	Stenographer	3,150.00
Item 4.	Stenographer	3,000.00
Item 5.	Stenographer	3,000.00
Item 6.	Office supplies, equipment and telephones	3,000.00
Item 7.	Travel for Supervisor of Attendance	700.00
Item 8.	Salary, Superintendent of Education	5,488.50
Item 9.	Board of Education, 7 members @ $25.00 each per month	2,100.00
Item 10.	Board of Trustees, 9 members @ $180.00 per year and 1 secretary $250.00 per year, stamps, etc., $100.00	1,970.00
Item 11.	School lunch office—trucking produce	2,000.00
	School lunch secretary	1,000.00
Item 12.	Audit (county books)	6,058.72
Item 13.	Furniture and fixture, office of Superintendent of Education and Tax Assessor	$ 9,488.14
	Total	$ 44,955.36

The auditor shall levy, and the treasurer shall collect, a tax on all taxable property of the county sufficient to pay the appropriation provided for herein.

SECTION 2. The Board of Trustees of Darlington County School District shall, before July of 1965, file with the county board of education a proposed budget for each school in the county for the 1965-66 fiscal year. The budget shall itemize proposed expenditures and propose the necessary current levy to cover these expenditures. The county board of education shall examine all budgets and its approval shall constitute the authority and direction to the county auditor to levy the tax provided for in Section 1.

SECTION 3. This act is supplementary to the general appropriations act of Darlington County which will be in effect for the 1965-66 fiscal year and the permanent school levies for Darlington County and shall in no respect be considered as a repeal of them or any part thereof.

SECTION 4. The funds herein appropriated shall be expended by the county treasurer in the usual way but upon request of the superintendent of education or the chairman of the county board of education.

SECTION 5. The county board of education may supplement salaries or expenses of the superintendent or other office employees out of any funds in their hands that can legally be expended for such purposes.

SECTION 6. A minimum of an average of two hundred dollars local supplement increase shall be paid to each teacher.

SECTION 7. This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1965.

(R699, S434)

No. 574

An Act To Provide Funds For The Economic Opportunity Commission, County Board Of Registration And Survey And Planning For Darlington County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The auditor shall levy and the treasurer shall collect a tax on all taxable property of Darlington County sufficient to pay the appropriation provided for herein.

SECTION 2. The sum of twenty-nine thousand dollars is hereby appropriated from the General Fund of Darlington County for the county fiscal year 1965-1966. The sum shall be expended for the following purposes:

Item 1. Darlington County Economic Opportunity Commission ..... $ 20,000.00

Item 2. Board of Registration 9,000.00
Provided, that the amount set forth for the Board of Registration shall only be spent if so much shall be necessary in the compliance of any new requirements of registration.

SECTION 3. The funds herein appropriated in Item 1 shall be expended by the county treasurer in the usual way, but upon request of the Director of the Economic Opportunity Commission; the funds herein appropriated in Item 2 shall be expended by the county treasurer in the usual way, but upon request of the Secretary of the Board of Registration.

SECTION 4. The funds expended under the terms of this act shall be audited in the annual audit of Darlington County, and a report of their expenditures shall be made in the audit.

SECTION 5. This act shall take effect upon approval by the Governor.

Approved the 11th day of June, 1965.

(R34, S36)

No. 575

An Act To Authorize The Lake Bank Of The City Of Lake View, County Of Dillon, To Transfer Certain County Funds To The Mayor Of Lake View.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Transfer of funds for Lake View.—The Lake Bank in the City of Lake View, County of Dillon, is hereby authorized to transfer that money on deposit in the name of the Lake View Rural Fire House to Jimmy L. Smith, Mayor of the City of Lake View, or his successor for the purpose of building a fire house in Lake View or for industrial development.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of February, 1965.

(R129, S101)

No. 576

An Act To Authorize The Board Of School Trustees Of The Latta District No. 3, In Dillon County, To Issue Not Exceeding Three Hundred Twenty-five Thousand Dollars Of General Obligation Bonds Of The District; To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which Their Proceeds May Be Expended; And To Make Provision For The Payment Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Latta School District 3 may issue bonds.—The Board of School Trustees of Latta District No. 3, in Dillon County (the board), is authorized to issue not exceeding three hundred twenty-five thousand dollars of general obligation bonds of the district. The proceeds derived from the sale of the bonds shall be disposed of as follows:

(a) Any accrued interest shall be applied to the payment of the first instalment of interest on such bonds.

(b) Any premium shall be applied to the payment of the first instalment of principal of the bonds.

(c) The remaining proceeds shall be used to defray the cost of issuing the bonds authorized hereby, to pay off the outstanding bonded indebtedness or notes of the district and to improve and construct additional school facilities.

(d) If any balance remain, it shall be held by the Treasurer of Dillon County in a special fund and used to effect the retirement of the bonds authorized hereby.

SECTION 2. Maturity—redemption—interest—dates.—The bonds may be issued as a single issue, or from time to time as several separate issues in the discretion of the board; *provided,* that no bonds shall be issued later than two years after the effective date of this act. All bonds shall mature serially in successive annual instalments of such amounts as may be determined by the board, except that the maturity date of the last instalment of any bonds issued hereunder shall fall due not later than twenty years from the date the bonds bear, and the first maturity date may be postponed not more than two years from the date the bonds bear. Any bond issued pursuant to this act may, at the discretion of the board, contain a provision permitting its redemption prior to its stated maturity at

such redemption premium as the board shall prescribe. The bonds shall be of such denomination, shall bear such rate or rates of interest as the board may determine, payable on such occasions as the board shall determine, but the bonds of any issue of bonds sold pursuant to the authorizations of this act shall bear interest at an average rate not in excess of a rate determined by the board. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Dillon County, and the principal thus made payable to the registered holder (unless the last registered transfer shall have been to bearer), upon such conditions as the board may prescribe. They shall bear such date or dates and be payable at such places as the board may likewise prescribe.

SECTION 3. Execution.—The bonds, and the interest coupons thereto attached, shall be executed in such manner as the board shall prescribe.

SECTION 4. Sale.—The bonds shall be sold by the board at not less than par and accrued interest to the date of their respective deliveries, at public sale, and at least ten days prior to any sale, notice, announcing the intention to receive bids for the sale of any bonds authorized by this act, shall be published in a newspaper of general circulation in the State of South Carolina.

SECTION 5. Exempt from taxes.—The bonds and all interest to become due thereon shall have the tax-exempt status as prescribed by Section 65-4.1, Code of Laws of South Carolina, 1962.

SECTION 6. Payment.—For the payment of the principal and interest of all bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the district shall be irrevocably pledged, and there shall be levied annually by the Auditor of Dillon County, and collected by the Treasurer of Dillon County, a tax without limit on all taxable property in the district, sufficient to pay the principal and interest of the bonds as they respectively mature, and to create such sinking fund as may be necessary therefor.

SECTION 7. Action of board.—Any action required of the board may be taken at any meeting of the board, regular or special, and at such meeting a majority of the members of the board shall constitute a quorum for the purpose of adopting a resolution making provision for the issuance of bonds pursuant to this act, awarding the sale of

such bonds, or taking any other action permitted or required of the board by the provisions of this act. *Provided,* that any action required of the board concerning the issuance of the bonds provided for in this act shall be voted on favorably by a majority of the members.

SECTION 8. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 5th day of March, 1965.

(R130, S102)

No. 577

An Act To Authorize The Board Of School Trustees Of The Lake View District No. 1, in Dillon County, To Issue Not Exceeding Three Hundred Thousand Dollars Of General Obligation Bonds Of The District; To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which Their Proceeds May Be Expended; And To Make Provision For The Payment Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Lake View School District 1 may issue bonds.—The Board of School Trustees of Lake View District No. 1 in Dillon County (the board), is hereby authorized to issue not exceeding three hundred thousand dollars of general obligation bonds of the district. The proceeds derived from the sale of the bonds shall be disposed of as follows:

(a) Any accrued interest shall be applied to the payment of the first instalment of interest on such bonds.

(b) Any premium shall be applied to the payment of the first instalment of principal of the bonds.

(c) The remaining proceeds shall be used to defray the cost of issuing the bonds authorized hereby, to pay off the outstanding bonded indebtedness or notes of the district and to improve and construct additional school facilities.

(d) If any balance remain, it shall be held by the Treasurer of Dillon County in a special fund and used to effect the retirement of the bonds authorized hereby.

SECTION 2. Maturity—redemption—interest—dates.—The bonds may be issued as a single issue, or from time to time as several

separate issues in the discretion of the board; *provided,* that no bonds shall be issued later than two years after the effective date of this act. All bonds shall mature serially in successive annual instalments of such amounts as may be determined by the board, except that the maturity date of the last instalment of any bonds issued hereunder shall fall due not later than twenty years from the date the bonds bear, and the first maturity date may be postponed not more than two years from the date the bonds bear. Any bond issued pursuant to this act may, at the discretion of the board, contain a provision permitting its redemption prior to its stated maturity at such redemption premium as the board shall prescribe. The bonds shall be of such denomination, shall bear such rate or rates of interest as the board may determine, payable on such occasions as the board shall determine, but the bonds of any issue of bonds sold pursuant to the authorizations of this act shall bear interest at an average rate not in excess of a rate determined by the board. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Dillon County, and the principal thus made payable to the registered holder (unless the last registered transfer shall have been to bearer), upon such conditions as the board may prescribe. They shall bear such date or dates and be payable at such places as the board may likewise prescribe.

SECTION 3. Execution.—The bonds, and the interest coupons thereto attached, shall be executed in such manner as the board shall prescribe.

SECTION 4. Sale.—The bonds shall be sold by the board at not less than par and accrued interest to the date of their respective deliveries, at public sale, and at least ten days prior to any sale, notice, announcing the intention to receive bids for the sale of any bonds authorized by this act, shall be published in a newspaper of general circulation in the State of South Carolina.

SECTION 5. Exempt from taxes.—The bonds and all interest to become due thereon shall have the tax-exempt status as prescribed by Section 65-4.1, Code of Laws of South Carolina, 1962.

SECTION 6. Payment.—For the payment of the principal and interest of all bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be neces-

sary therefor, the full faith, credit and taxing power of the district shall be irrevocably pledged, and there shall be levied annually by the Auditor of Dillon County, and collected by the Treasurer of Dillon County, a tax without limit on all taxable property in the district, sufficient to pay the principal and interest of the bonds as they respectively mature, and to create such sinking fund as may be necessary therefor.

SECTION 7. Action of board.—Any action required of the board may be taken at any meeting of the board, regular or special, and at such meeting a majority of the members of the board shall constitute a quorum for the purpose of adopting a resolution making provision for the issuance of bonds pursuant to this act, awarding the sale of such bonds, or taking any other action permitted or required of the board by the provisions of this act. *Provided,* that any action required of the board concerning the issuance of the bonds provided for in this act shall be voted on favorably by a majority of the members.

SECTION 8. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 5th day of March, 1965.

(R131, S103) **No. 578**

An Act To Authorize The Board Of School Trustees Of The Dillon District No. 2, In Dillon County, To Issue Not Exceeding Eight Hundred Thousand Dollars Of General Obligation Bonds Of The District; To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which Their Proceeds May Be Expended; And To Make Provision For The Payment Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Dillon School District 2 may issue bonds.—The Board of School Trustees of Dillon District No. 2 in Dillon County, (the board), is hereby authorized to issue not exceeding eight hundred thousand dollars of general obligation bonds of the district. The proceeds derived from the sale of the bonds shall be disposed of as follows:

(a) Any accrued interest shall be applied to the payment of the first instalment of interest on such bonds.

(b) Any premium shall be applied to the payment of the first instalment of principal of the bonds.

(c) The remaining proceeds shall be used to defray the cost of issuing the bonds authorized hereby, to pay off the outstanding bonded indebtedness or notes of the district and to improve and construct additional school facilities.

(d) If any balance remain, it shall be held by the Treasurer of Dillon County in a special fund and used to effect the retirement of the bonds authorized hereby.

SECTION 2. Maturity—redemption—interest—dates.—The bonds may be issued as a single issue, or from time to time as several separate issues in the discretion of the board; *provided,* that no bonds shall be issued later than two years after the effective date of this act. All bonds shall mature serially in successive annual instalments of such amounts as may be determined by the board, except that the maturity date of the last instalment of any bonds issued hereunder shall fall due not later than twenty years from the date the bonds bear, and the first maturity date may be postponed not more than two years from the date the bonds bear. Any bond issued pursuant to this act may, at the discretion of the board, contain a provision permitting its redemption prior to its stated maturity at such redemption premium as the board shall prescribe. The bonds shall be of such denomination, shall bear such rate or rates of interest as the board may determine, payable on such occasions as the board shall determine, but the bonds of any issue of bonds sold pursuant to the authorizations of this act shall bear interest at an average rate not in excess of a rate determined by the board. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Dillon County, and the principal thus made payable to the registered holder (unless the last registered transfer shall have been to bearer), upon such conditions as the board may prescribe. They shall bear such date or dates and be payable at such places as the board may likewise prescribe.

SECTION 3. Execution.—The bonds, and the interest coupons thereto attached, shall be executed in such manner as the board shall prescribe.

SECTION 4. Sale.—The bonds shall be sold by the board at not less than par and accrued interest to the date of their respective deliveries, at public sale, and at least ten days prior to any sale, notice, announcing the intention to receive bids for the sale of any bonds authorized by this act, shall be published in a newspaper of general circulation in the State of South Carolina.

SECTION 5. Exempt from taxes.—The bonds and all interest to become due thereon shall have the tax-exempt status as prescribed by Section 65-4.1, Code of Laws of South Carolina, 1962.

SECTION 6. Payment.—For the payment of the principal and interest of all bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the district shall be irrevocably pledged, and there shall be levied annually by the Auditor of Dillon County, and collected by the Treasurer of Dillon County, a tax without limit on all taxable property in the district, sufficient to pay the principal and interest of the bonds as they respectively mature, and to create such sinking fund as may be necessary therefor.

SECTION 7. Action of board.—Any action required of the board may be taken at any meeting of the board, regular or special, and at such meeting a majority of the members of the board shall constitute a quorum for the purpose of adopting a resolution making provision for the issuance of bonds pursuant to this act, awarding the sale of such bonds, or taking any other action permitted or required of the board by the provisions of this act. *Provided,* that any action required of the board concerning the issuance of the bonds provided for in this act shall be voted on favorably by a majority of the members.

SECTION 8. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 5th day of March, 1965.

(R287, S245)

No. 579

An Act To Amend Act 500 Of 1963, Relating To The Borrowing Of Money By School District No. 1 Of Dillon County, So As To Permit The Trustees To Renew The Notes Evidencing The Debt.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 1 of Act 500 of 1963 amended—Dillon County School District 1 may borrow money.—Section 1 of Act 500 of 1963 is amended on line six by adding the following after the period: "The trustees may renew the notes whenever it is deemed necessary.", so that when amended the section shall read as follows:

"Section 1. The Board of Trustees of School District No. 1 in Dillon County and the Treasurer of Dillon County are authorized to borrow for school purposes not exceeding seventy-five thousand dollars from any bank in Dillon County. The amount borrowed shall be evidenced by a note or notes to be executed by the chairman of the Board of Trustees and the Treasurer of Dillon County. The trustees may renew the notes whenever it is deemed necessary. The note or notes shall bear interest at a rate not exceeding two and three-fourths per cent per annum from the date thereof and shall be payable in one installment within twelve months."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1965.

(R359, H1593)

No. 580

An Act To Authorize And Empower The Respective Boards Of School Trustees Of Lake View School District No. 1, Dillon School District No. 2, And Latta School District No. 3, In Dillon County To Issue General Obligation Bonds Of Such Districts In Order To Pay Existing Indebtedness, To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which Their Proceeds May Be Expended And To Make Provision For The Payment Of The Bonds, And To Repeal Acts Of 1965 Bearing Ratification Nos. 129, 130 And 131,

Relating To Bond Issues Of Latta School District No. 3, Dillon School District No. 2 And Lake View School District No. 1.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Bond issues for Dillon County School District to be repealed.—At the present session of the General Assembly, by three separate acts of 1965 identical in form, with the exception of the amount of bonds authorized, bearing Ratification Nos. 129, 130 and 131, Lake View School District No. 1, Dillon School District No. 2 and Latta School District No. 3, in Dillon County, were authorized to issue general obligation bonds of the respective school districts for the purpose of providing additional public school facilities and for the purpose of funding indebtedness of such school districts.

Following a further study of the needs of Dillon County it has been decided that the county itself, acting through the county board of education, and in conformity with a special constitutional amendment relating to Dillon County, which permits Dillon County to incur bonded indebtedness for school purposes to the extent of fifteen per cent of the assessed value of all taxable property in the county, should incur bonded debt for the construction and equipping of new public school facilities in each of the school districts.

On this basis it has been determined that the right of the individual school districts to incur bonded indebtedness pursuant to the legislation above referred to should be limited to bonded indebtedness required for the funding of existing indebtedness, and to repeal these three acts, and through the means of this act provide a method by which each of the three school districts in Dillon County will be empowered to incur bonded debt for the purpose of funding existing indebtedness.

SECTION 2. Findings of General Assembly.—The General Assembly finds that Lake View School District No. 1 is indebted to the Anderson Bank and to Dillon County, as of April 1, 1965, in the aggregate principal amount of one hundred ten thousand three hundred ninety-five dollars and ten cents; that Dillon School District No. 2 is indebted to the State Sinking Fund, as of April 1, 1965, in the aggregate principal amount of three hundred ten thousand dollars; and that Latta School District No. 3 is indebted to the State Sinking Fund and to Dillon County, as of April 1, 1965, in the aggregate principal amount of one hundred sixty-one thousand six hundred fifty-one dollars and twenty-six cents.

SECTION 3. Bond issues authorized for school districts.—The boards of trustees of each of the three school districts of Dillon County are hereby authorized and empowered to issue general obligation bonds of each respective school district, to the extent that may be required to effect the payment and retirement of the existing indebtedness of such school district, as set forth in Section 2 of this act, and to that end each board of trustees may avail themselves of the authorizations of this act.

SECTION 4. Maturity.—Bonds of any school district issued pursuant to this act shall mature in such annual series or instalments as the board of trustees shall provide, except that the first maturing bonds shall mature within two years from the date of issue; not less than two per cent of the bonds shall mature in each year; and no bonds shall mature later than twenty-five years from the date of issue.

SECTION 5. Redemption.—Any bond issued pursuant to this act may be issued with a provision permitting its redemption prior to its stated maturity, at par and accrued interest, plus such redemption premium as may be prescribed by the board of trustees, but no bond shall be redeemable prior to its stated maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of such bonds, provision shall be made specifying the manner of call and the notice thereof that must be given as to bonds made redeemable prior to their stated maturities.

SECTION 6. Form.—The bonds issued pursuant to this act shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Dillon County, upon such conditions as the board of trustees may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instrument law.

SECTION 7. Where payable.—The bonds issued pursuant to this act shall be made payable at such places, within or without the State, as the board of trustees shall provide.

SECTION 8. Interest.—Bonds issued pursuant to this act shall bear interest at rates determined by the board of trustees.

SECTION 9. Denominations and execution.—The bonds and the coupons to be thereunto attached, shall be in such denomination and shall be executed in such manner as the board of trustees shall by resolution prescribe.

SECTION 10. Sale.—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. Such published notice shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 11. Payment.—For the payment of the principal and interest of any issue of bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the respective school districts shall be irrevocably pledged, and there shall be levied annually by the Auditor of Dillon County, and collected by the Treasurer of Dillon County, in the same manner as county taxes are levied and collected, on all taxable property in the respective school district, a tax sufficient to pay the principal and interest of the bonds as they respectively mature and to create such sinking fund as may be necessary therefor; *provided,* that, until changed by subsequent enactment, the ad valorem tax levy shall be reduced to the extent that there is on deposit with the Treasurer of Dillon County, on the occasion in each year when the ad valorem tax levy is to be made, moneys derived from contributions or grants from the State of South Carolina to the respective school districts for capital improvements for school facilities which can be used for the payment of such principal and interest, and in all instances where an annual tax levy is so reduced, the moneys derived from such contributions and grants shall be applied to the payment of such principal and interest and to no other purpose.

SECTION 12. Exempt from taxes.—The principal and interest of bonds issued pursuant to this act shall have the tax exempt status prescribed by Section 65-4.1, Code of Laws of South Carolina, 1962.

SECTION 13. Proceeds.—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of Dillon County, to be deposited in a Bond Account Fund for the county and shall be expended and made use of as follows:

(a) Any accrued interest shall be applied to the payment of the first instalment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first instalment of principal of such bonds.

(c) So much as shall be required shall be paid out by the treasurer, on the warrant of the board of trustees for costs and expenses incident to the issuance of the bonds.

(d) The remaining proceeds shall be applied with any other funds available therefor for the retirement of the indebtedness for which such bonds were issued.

SECTION 14. Powers to be additional.—The powers and authorizations hereby conferred upon the boards of trustees shall be in addition to all other powers and authorizations previously vested in the boards of trustees and may be availed of pursuant to action taken at any regular or special meeting of the boards of trustees but no bonds shall be issued pursuant to the provisions of this act subsequent to eighteen months following the effective date of this act, unless litigation shall be instituted challenging the right of the school districts to incur bonded indebtedness pursuant to this act, in which event, the time for the issuance of bonds pursuant to the provisions of this act shall be postponed for a period of eighteen months following the conclusion of such litigation.

SECTION 15. No further action required for issuance.—No action other than that prescribed in this act need be taken to effect the issuance of the bonds herein authorized, nor shall the board of trustees be required to obtain the approval of any public agency to any action taken pursuant to the authorizations of this act.

SECTION 16. Acts 576, 577 and 578 of 1965 repealed.—Acts of 1965 bearing Ratification Nos. 129, 130 and 131, are repealed.

SECTION 17. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 6th day of May, 1965.

(R360, H1600)

No. 581

An Act To Authorize And Empower The County Board Of Education Of Dillon County To Issue General Obligation Bonds Of Dillon County To Provide Additional Public School Facilities In The County, To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which Their Proceeds May Be Expended, And To Make Provision For The Payment Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Determinations of General Assembly.—The General Assembly takes note of the fact that Dillon County is divided into three school districts: Lakeview School District No. 1, Dillon School District No. 2 and Latta School District No. 3 (Section 21-2401, Code of Laws of South Carolina, 1962). Each school district has its own special eight per cent constitutional debt limitation, but the aggregate of indebtedness of each is such that little, if any, further bonded debt may be created.

Dillon County itself has a special constitutional amendment which specifically provides that it may incur bonded indebtedness for school purposes in an amount not exceeding fifteen per cent of the assessed value of all taxable property in the county. This amendment and the provisions of Sections 5 and 6 of Article X of the Constitution thus permit the county to incur bonded indebtedness for educational purposes.

Surveys have been made of the needs of the three school districts in Dillon County for further public school facilities and it has been ascertained that there is an acute need for additional facilities in each of the school districts and that in certain instances unless additional classrooms are provided there will be no space available for pupils for the next school session.

Due consideration has been given to a fair and equitable method of apportioning any contribution that might be made by Dillon County to the three school districts and it has been determined that it is both equitable and just to effect an apportionment of any contribution in the proportion, to the nearest one thousand dollars, that the pupil enrollment of each school district, as of the beginning of the 1964-65 school years, bears to the total pupil enrollment in Dillon County.

On the basis of its findings, the General Assembly has determined to make provision for the issuance of general obligation bonds of Dillon County for school purposes and to distribute the proceeds derived from the sale of such bonds among the school districts of Dillon County on the basis above set forth.

SECTION 2. Bond issues authorized for schools.—For the purpose of providing funds for additional public school facilities to be expended on a pro rata per pupil enrollment basis, and in accordance with the formula expressed in Section 1 hereof, the County Board of Education of Dillon County, as constituted by Article 2 of Chapter 33, Title 14, Code of Laws of South Carolina, 1962 (the board), is hereby authorized and empowered to issue general obligation bonds of Dillon County to such amount as it shall determine. *Provided,* that the aggregate of bonded debt incurred pursuant to this act shall not exceed that permitted by the special constitutional amendment referred to in Section 1.

SECTION 3. Maturity.—All bonds issued pursuant to this act shall mature in such annual series or instalments as the board shall provide, except that the first maturing bonds shall mature within two years from the date of issue; not less than two per cent of the bonds shall mature in each year; and no bond shall mature later than twenty-five years from the date of issue.

SECTION 4. Redemption.—Any bond issued pursuant to this act may be issued with a provision permitting its redemption prior to its stated maturity, at par and accrued interest, plus such redemption premium as may be prescribed by the board, but no bond shall be redeemable prior to its stated maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of such bonds, provision shall be made specifying the manner of call and the notice thereof that must be given as to bonds made redeemable prior to their maturities.

SECTION 5. Form.—The bonds issued pursuant to this act shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Dillon County, upon such conditions as the board may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instrument law.

SECTION 6. Where payable.—The bonds issued pursuant to this act shall be made payable at such place, within or without the State, as the board shall provide.

SECTION 7. Interest.—Bonds issued pursuant to this act shall bear interest at rates determined by the board.

SECTION 8. Denominations.—The bonds and the coupons to be thereunto attached shall be in such denomination and shall be executed in such manner as the board shall by resolution prescribe.

SECTION 9. Sale.—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. Such published notice shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 10. Payment.—For the payment of the principal and interest of all bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the county shall be irrevocably pledged, and there shall be levied annually by the Auditor of Dillon County, and collected by the Treasurer of Dillon County, in the same manner as county taxes are levied and collected, on all taxable property in Dillon County, a tax sufficient to pay the principal and interest of the bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

SECTION 11. Exempt from taxes.—The principal and interest of bonds issued pursuant to this act shall have the tax exempt status prescribed by Section 65-4.1, Code of Laws of South Carolina, 1962.

SECTION 12. Proceeds.—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of Dillon County, to be deposited in a bond account fund for the county and shall be expended and made use of as follows:

(a) Any accrued interest shall be applied to the payment of the first instalment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first instalment of principal of such bonds.

(c) So much as shall be required shall be paid out by the treasurer, on the warrant of the board for costs and expenses incident to the issuance of the bonds.

(d) The remaining proceeds shall be allocated to the three school districts of Dillon County, proportionately to the nearest one thousand dollars, and on the basis that the per pupil enrollment of each school district, as of the beginning of the 1964-65 school year, bears to the total per pupil enrollment of Dillon County for such year and shall be expended, upon the warrant or order of a majority of the trustees of the respective school districts, to provide for additional public school facilities for the three school districts of Dillon County in the manner contemplated by Section 2 of this act.

(e) If, after the final completion of the county's school building program, there shall be any balance remaining in the bond account, then such balance shall be held by the treasurer and used to effect the retirement of bonds issued pursuant to this act then outstanding.

SECTION 13. Powers to be additional.—The powers and authorizations hereby conferred upon the board shall be in addition to all other powers and authorizations previously vested in the board and may be availed of pursuant to action taken at any regular or special meeting of the board, but no bonds shall be issued pursuant to the provisions of this act subsequent to eighteen months following the effective date of this act, unless litigation shall be instituted challenging the right of Dillon County to incur bonded indebtedness pursuant to this act, in which event, the time for the issuance of bonds pursuant to the provisions of this act shall be postponed for a period of eighteen months following the conclusion of such litigation.

SECTION 14. No further action required.—No action other than that prescribed in this act need be taken to effect the issuance of the bonds herein authorized, nor shall the board be required to obtain the approval of any public agency to any action taken pursuant to the authorizations of this act.

SECTION 15. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 6th day of May, 1965.

(R712, H1833)

No. 582

An Act To Provide For The Levy Of Taxes For County And School Purposes Of The County Of Dillon For The Fiscal Year Beginning July 1, 1965, And Ending June 30, 1966; To Provide For The Expenditure Thereof; And To Prescribe The Duties Of Certain County Officers.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. A tax of eighteen mills is hereby levied upon all the taxable property in the County of Dillon for county purposes, for the fiscal year beginning July 1, 1965, for the amounts and for the purposes hereinafter stated, two mills of which shall be applied toward retirement of a one hundred thousand dollar loan from the Division of Sinking Funds and Property for a five-year period, that is to say:

A. Salaries:

Auditor's Office:		
County Auditor, Salary	$	2,100.00
Mileage		200.00
Clerk to Auditor		2,940.00
The county auditor is hereby assigned as custodian of grounds of public buildings and auditing machines.		
Deputy Auditor is hereby assigned as assistant custodian of grounds of public buildings and auditing machines		200.00
Total	$	5,440.00
Treasurer's Office:		
County Treasurer, Salary	$	2,100.00
Mileage and Office Expense		200.00
Clerk to County Treasurer		2,940.00
Clerk to County Treasurer (part time)		500.00
Total	$	5,740.00
Clerk of Court's Office:		
Clerk of Court, Salary	$	5,400.00
Mileage and Office Expenses		200.00
Additional Duties, Clerk of Court		300.00
Clerk to Clerk of Court		2,940.00

Clerk to Clerk of Court (part time)	1,260.00
Provided, the Clerk of Court is herewith assigned additional duties of custodian of courthouse and photographic machine operator.	
Total	$ 10,100.00
Sheriff's Office:	
Investigator	$ 150.00
Sheriff, Salary $6,400, Mileage $600.00	7,000.00
Deputy Sheriffs 5 @ $4,800.00 each salary and $400.00 each mileage	26,000.00
Radio Supplies, Equipment and Uniforms	500.00
Jailer-Radio Operator	2,000.00
Clerk to Sheriff	2,940.00
Provided, the sheriff shall designate one deputy as the Chief Deputy and for such additional duties he shall be compensated annually, additional salary	300.00
The sheriff shall designate one deputy as special deputy and for such additional duties he shall be compensated annually, additional salary	300.00
Gasoline and upkeep of county automobiles	4,600.00
Provided, that after this amount is spent it becomes the responsibility of the sheriff and deputies to pay for own gas and upkeep of county automobiles. Delegation is not allowed to pay overage by authorization.	
Provided, the sheriff shall dispose of at public sale all confiscated automobiles, trucks or other vehicles on hand, within a period of sixty days of seizure, and deposit the proceeds with the County Treasurer to be used for educational purposes.	
Total	$ 43,790.00
Probate Judge's Office:	
Judge of Probate, Salary	$ 4,500.00
Mileage and Office Expense	400.00

Clerk to Probate Judge		2,940.00
Clerk to Probate Judge (part time)		1,800.00
Total	$	9,640.00
County Board of Commissioners:		
Chairman, Salary	$	1,300.00
6 Commissioners @ $1,000.00 each		6,000.00
Clerk to County Board		2,940.00
Dieting of Prisoners		1,750.00
Emergency Fund—Jail Medicines		1,500.00
Pauper Burials @ $75.00 each		3,000.00
Road Supervisor, Salary		4,400.00
Operational Fund for Road Maintenance, Bridges, etc.		35,000.00
Chain Gang Guards, 4 @ $3,000.00, 1 @ $3,300.00		15,300.00
One Mechanic		3,000.00
Clerk to Delegation, provided that Clerk of Board of Commissioners shall serve as Clerk to Delegation		360.00
Dillon Rescue and First Aid		500.00
Street Lights for Unincorporated Communities		1,860.00
Dillon County Historical Society		500.00
Lake View Rescue and First Aid		250.00
Total	$	77,660.00
Board of Education Office:		
Chairman, @ $50.00 per month	$	600.00
6 Members @ $480.00 each		2,880.00
Clerk to County Board of Education		2,940.00
Attendance Teacher, Mileage Expenses		600.00
County Superintendent of Education, Mileage Expense		1,200.00
Total	$	8,220.00
Board of Health:		
Sanatarian, Salary	$	3,700.00
Travel:		
Health Officer	$	850.00
Sanatarian III		1,780.00
P. H. Nurse 1-B		1,000.00

P. H. Nurse 1-A	1,000.00
P. H. Nurse 1-A	1,000.00
Miscellaneous Office Expense	1,268.00
Salary Adjustments	307.00
Chest X-Ray Clinic	500.00
Crippled Children's Travel	1,200.00
Tri-County Mental Health Commission	4,200.00
Total	$ 16,805.00

Department of Public Welfare:

Mileage and use of personal cars for 8 workers @ $400.00	$ 3,200.00
Telephone	500.00
Chairman	420.00
Two Members, @ $360.00 each	720.00
Two Clerks, @ $240.00 each	480.00
Mileage, Child Welfare Worker	720.00
Miscellaneous Expense—Office	2,040.00
Emergency Aid Fund, includes hospitalization and medical care for paupers only—not on Welfare Rolls	15,000.00

Provided, that hospitalization of indigent persons shall be expended only upon approved certificates by the Board of Public Welfare of Dillon County and there shall not be expended on any one case a greater sum than $175.00.

Provided, further, that the Board may in extreme cases approve further expenditures, but the county shall not be liable for additional sums unless authorization by the Board is first secured. This fund shall be drawn quarterly by the Board of Public Welfare from the County Board of Commissioners on vouchers.

Additional Case Worker Supplement	1,800.00
Two Clerks @ $225.00 per month	5,400.00
Total	$ 30,280.00

Office of County Service Officer:

Service Officer, Salary	$ 3,600.00
Service Officer, Mileage	1,200.00

Clerk to Service Officer		2,750.00
Office Expense		400.00
Total	$	7,950.00
Tax Collector's Office:		
Assistants to Tax Collector	$	3,500.00
Clerk to Delinquent Tax Collector		2,940.00
Total	$	6,440.00
Magistrates:		
Dillon	$	3,300.00
Little Rock		600.00
Latta		2,800.00
Kirby		600.00
Lake View		2,000.00
Fork		600.00
Hamer		600.00
Total	$	10,500.00
Master's Office:		
Master, Salary	$	1,500.00
Office and Operating Expense		900.00
Total	$	2,400.00
Coroner's Office:		
Coroner, Salary	$	1,800.00
Stenographer to Coroner		200.00
Provided, that stenographer shall be paid by County Board of Commissioners at the rate of $7.00 per inquest.		
Mileage		400.00
Total		2,400.00
County Attorney's Office:		
County Attorney, Salary	$	500.00
Total	$	500.00
Janitors:		
Janitors at Courthouse	$	1,750.00
Janitor at Agricultural Building		1,670.00
Janitor at Health Center		1,670.00
Total	$	5,090.00

B. Jurors		$ 3,350.00
Provided, jurors be paid at rate of $7.50 per day and mileage each day served.		
Total		$ 3,350.00
C. Post Mortems, Inquests, Lunacy Examinations		$ 1,000.00
Total		$ 1,000.00
D. Public Buildings, including Health Centers, Fuel, Water, Lights, Insurance, Telephone		$ 20,000.00
Provided, however, that all long distance telephone calls be reported separately to the Board of Commissioners before any bills shall be paid, such reports to be submitted by the first Monday in each month.		
Total		$ 20,000.00
E. Dillon Armory		$ 1,800.00
Total		$ 1,800.00
F. Cancer Society		$ 750.00
Total		$ 750.00
G. Printing, Postage, Stationery		$ 7,500.00
Total		$ 7,500.00
H. Contingencies:		
Miscellaneous Contingent Fund		$100,000.00
Provided, that this amount be spent by the county board of commissioners upon recommendation of a majority of the delegation, including the Senator, for payment of past due and present county obligations.		
Total		$100,000.00
I. Librarian (Latta)		$ 1,440.00
Assistant Librarian		3,003.00
Librarian (Dunbar)		1,481.56
Librarian (Lake View)		792.00
Part-time help		1,267.20
Part-time help		1,267.20

Helper		1,029.60
Helper		712.80
Helper		475.20
Sub-total	$	11,468.56
Repairs		350.00
Books, magazines, book repair and bookmobile	$	3,612.00
Books, to the County Board of Education, on a per pupil basis		2,500.00
Insurance, heat, lights, water and telephone		1,720.00
Total	$	19,650.56
J. Vital Statistics	$	300.00
Total	$	300.00
K. Postage, Home and Farm Agents	$	50.00
4-H Club—Boys'		100.00
4-H Club—Girls'		100.00
Home Demonstration Supplies		50.00
Boy Scout Work		100.00
Girl Scout Work		100.00
Home Demonstration Agent, Salary Supplement		240.00
County Agent, Salary Supplement		750.00
Assistant County Agent, Mileage		350.00
Dillon Soil Conservation Dist.		350.00
Game Warden, Mileage		300.00
Game Warden, Salary		3,000.00
Total	$	5,490.00
L. Retirement Fund, County Officials	$	6,000.00
Social Security, County Officials		6,000.00
Workmen's Compensation		2,000.00
Total	$	14,000.00
M. Chaplain for Chain Gang	$	300.00
Total	$	300.00

N. Dillon County Soil Conservation Supervisor Clerk (part time)	$	2,730.00
Total	$	2,730.00
O. Dunbar Memorial Library: Librarian, Salary—$25.00 monthly	$	300.00
Total	$	300.00
P. Forestry Board: Operation—two trucks @ $300.00	$	600.00
Total	$	600.00
Q. American Legion	$	250.00
V. F. W.		250.00
Lake View American Legion		250.00
Mrs. A. B. Jordan—Retirement @ $75.00 per month		900.00
Audit of County Books		1,800.00
B. F. Gasque—Retirement @ $100.00 per month		1,200.00
Henrietta Bass—Retirement @ $125.00 per month		1,500.00
Total	$	6,150.00
Director of Civil Defense	$	5,400.00
Assistant Director of Civil Defense		4,000.00
Administrative Asst.		2,940.00
Civil Defense Administrative Office Expense		1,500.00
Engineer		3,600.00
Fire Department Operation		2,500.00
Civil Defense Surplus Property		1,000.00
Firemen's Compensation		7,000.00
Provided, the above sum shall be expended at the rate of $5.00 per rural fire on individual vouchers submitted quarterly and approved by Dillon County Rural Fire Director.		
R. Board of Appeals and Equalization—9 members, at $30.00 per month	$	3,340.00
Tax Assessor		5,400.00

Deputy Tax Assessor	3,600.00
1 Clerk	3,300.00
Total	$ 43,580.00
GRAND TOTAL—APPROPRIATIONS	$470,455.56
Estimated Amount of Deductions and Discounts:	
Tax Discount Act	$ 10,000.00
Estimated Amount of 1962-1963 Nulla Bona Tax Executions	10,000.00
Total	$ 20,000.00
GRAND TOTAL—ALL APPROPRIATIONS	$490,455.56
Less Estimated Revenue—other than taxes:	
Insurance Tax from State	$ 20,000.00
Fines and Costs—Magistrate	50,000.00
Gasoline Tax from State	60,000.00
Liquor Tax and License from State	30,000.00
Income Tax from State	40,000.00
From State for Service Officer's Office	5,000.00
Fees and Commissions from County Offices	40,000.00
Beer Tax from State	12,000.00
Bank Tax from State	2,000.00
Civil Defense Compensation	7,000.00
Other Miscellaneous	10,000.00
	$276,000.00
Net to be raised from Taxation	$214,455.56

SECTION 2. Supplies such as coal, fuel, food, office and other supplies for operation of the county courthouse, agricultural building, health centers, jail and chain gang shall be purchased by the board of county commissioners. No salaries shall be paid in advance.

SECTION 3. The Road Supervisor of Dillon County shall perform his duties under the direction and control of the county board of commissioners. The county board of commissioners shall control and maintain strict supervision of all county roads, all equipment and

installations at the chain gang camp and such cemeteries as may be decided upon by the board. Supplies and equipment for the chain gang shall be purchased by or at the direction of the county board of commissioners.

SECTION 4. The appointment of the jailer shall be the duty of the sheriff, and he shall be fully responsible for the jailer's duties and actions. The jailer is also to be radio operator at the jail's remote control station.

SECTION 5. The County Treasurer of Dillon County, and other officers of the county who may handle funds of the county, are hereby authorized and empowered to deposit funds of the county or subdivisions thereof, both current or sinking funds in any bank or banks, but before making such deposits, shall require from such bank or banks a bond equal to or in excess of funds deposited, secured by bonds of the United States Government, or State, county, or any political subdivision thereof, and approved by a majority of the following: chairman of the board of county commissioners, county auditor, county treasurer, chairman of the county board of education, in writing and filed with the clerk of court for public inspection, to indemnify the county against loss. *Provided,* that the county treasurer is hereby authorized, in his discretion, to use any sinking fund money on hand to buy any of the bonds or notes of the county or any school district thereof. No county funds shall be used for bringing fugitives from the county back into the State, except the amount therefor first be approved by the board of county commissioners.

SECTION 6. The county auditor is hereby authorized, empowered and directed to charge the following levies against all taxable property of the County of Dillon for the fiscal year 1965-1966 for the following purposes: county ordinary, eighteen mills; for operation of schools, fifty-two mills; one mill teachers' sick leave for a maximum annual sick leave of five days per teacher @ ten dollars per day, any days not used in any school year may accumulate to next school year, not to exceed ten days, but no teacher shall be allowed to use more than ten days sick leave in any one school year; for debt retirement, ten mills; and school lunches, three mills to be used for lunches upon the recommendation of the county board of education; free text books, three mills.

SECTION 7. The commutation road tax for the year 1965-1966 shall be two dollars and shall so remain at the same annual rate until changed by the Dillon County Delegation in the annual appropriations act.

SECTION 8. The amounts appropriated herein, under the several items for the several purposes as indicated, are the maximum amounts appropriated for such purposes, and it shall be unlawful for the various county boards or officers to make contract or contracts, for the expenditure of the monies, or the county treasurer to pay any sums in excess of the amount appropriated under such item, unless otherwise provided by law, or without the consent in writing, of a majority of the Legislative Delegation, including the Senator, from Dillon County. *Provided,* that no funds shall be transferred from one appropriation to another without the consent in writing of a majority of the Legislative Delegation, including the Senator, from Dillon County.

The county commissioners are hereby required to keep a separate account covering the various items of the appropriations act and not to exceed in expenditure or contract the amount herein provided for each item, and for such excess allowed or permitted, such officers shall be held liable on their official bonds. The clerk of the county board of commissioners shall make monthly statements of expenditures and balances of the different items, both to the board and to each member of the Legislative Delegation from Dillon County. Any contract made in violation of this act shall not be a valid claim against Dillon County.

SECTION 9. The legal office hours for the County of Dillon shall be from 8:30 A. M. to 5 P. M., except Saturdays, when the hours shall be from 8:30 A. M. to 12 noon. *Provided,* that all holidays declared legal holidays by the State of South Carolina are excepted from the provisions thereof. *Provided,* further, November eleventh and December twenty-sixth are hereby designated as legal holidays in Dillon County.

SECTION 10. All funds remaining in the treasurer's accounts, other than appropriated funds, shall be set aside as permanent reserve funds and shall be used subject to the same terms and conditions as apply to county sinking funds. The accountant making the annual audit of the county shall cause such transfers as are necessary

to be made in the event such entries have not been made by the office or officer having such funds in his custody. Before charging off any tax execution as nulla bona, it shall be the duty of the delinquent tax collector to call in session the members of the board of assessors of the district, or districts, affected, who shall examine all items proposed to be charged off as uncollectible and no such execution or charge shall be eliminated unless it bears the written approval of the board or the members of the district comprising the board in which the charge was made, and the reason for charging off any nulla bona item shall be written on the face thereof.

SECTION 11. The Superintendent of Education of Dillon County is hereby authorized and directed to establish and keep complete records, subject to yearly audit, of all receipts and disbursements of funds of all school hot lunch operations in Dillon County. All school officials receiving or disbursing school hot lunch funds shall submit to the Superintendent of Education of Dillon County monthly reports or statements of their receipts and disbursements of school hot lunch funds.

SECTION 12. The county auditor is hereby authorized and empowered to raise or lower the levies herein provided as may be necessary to meet the appropriations herein made after taking into consideration the other revenues accruing to or to accrue to the county. *Provided,* such change in levy is approved in writing by a majority of the Legislative Delegation, including the Senator from Dillon county. *Provided,* further, that the auditor shall not collect any fees for the entry or endorsement on any deed of conveyance of real property recorded in his office.

SECTION 13. All unexpended appropriated funds in any item of this act shall revert back to the general funds of Dillon County at the end of the fiscal year.

SECTION 14. It shall be the duty of the probate judge to make a charge of two dollars for issuance of certified copies of marriage licenses to a non-resident of Dillon County. All fees collected under this section shall be paid to the Treasurer of Dillon County and credited to the general funds.

SECTION 15. The board of county commissioners is hereby authorized to borrow, at such time or times, and upon such terms as it may prescribe, upon sealed competitive bids, after written notice

to all banks in Dillon County, a sum or sums not exceeding in the aggregate the amount hereinabove appropriated, pledging all taxes to be raised by virtue of the levy to be made hereunder and the full faith and credit of the county for such loan or loans. The chairman of the board of county commissioners and the county treasurer shall execute a note or notes for such loan or loans, which note or notes, when so executed, shall be a lien upon all taxes to be raised during the year 1965 for the levy to be made under this act; *provided,* that the monies hereinabove appropriated shall be used only for the purpose for which such appropriation is made and for no other purpose or purposes, and the board of county commissioners and the county treasurer are hereby expressly forbidden to exceed directly or indirectly the appropriations herein made for any purpose whatsoever unless upon authorization of the county delegation; and *provided,* further, that all unexpended balances on appropriations for the period beginning July 1, 1964, and ending June 30, 1965, shall be added to the ordinary county funds hereinabove mentioned. *Provided,* that no funds of Dillon County in excess of the sum protected by the Federal Deposit Insurance shall be deposited by an officer thereof in any bank or banks unless such bank or banks shall file with the county treasurer an indemnity bond in some approved surety company, or shall deposit with the county treasurer, United States, State, county, municipal, school district, Federal Land Bank Bonds, or other bonds guaranteed by the United States, or county notes, to indemnify the County of Dillon against any loss or damage which may arise by reason of such deposit, the indemnity to be not less than the maximum amount so deposited less the sum protected by the Federal Deposit Insurance, the sufficiency of the indemnity or security hereinabove provided for to be determined and approved by the county treasurer and the chairman of the board of county commissioners in writing. In addition to borrowing such sum or sums as may be necessary to cover the provisions of this act, in case of an emergency, the Dillon County Legislative Delegation to be the judges thereof, the board of county commisssioners may, with written approval of the Dillon County Legislative Delegation, borrow such additional funds as may be necessary to meet such emergency, pledging as security therefor, the full faith and credit of Dillon County for the payment of any sum or sums so borrowed.

SECTION 16. This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R14, S35) **No. 583**

A Joint Resolution Proposing Amendments To Section 5 Of Article X Of The Constitution Of South Carolina, 1895, Relating To The Limit Of Bonded Indebtedness Of Certain Political Subdivisions, So As To Permit School Districts Nos. 1, 2 And 3 Of Dorchester County To Incur Bonded Indebtedness Up To Fifteen Per Cent Of The Assessed Value Of The Taxable Property Therein.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Amendment to Article X, Section 5, State Constitution, proposed—bonded indebtedness of School Districts 1, 2 and 3 of Dorchester County.—There is proposed the following amendment to Section 5 of Article X of the Constitution of this State: add at the end of the section the following proviso: *"Provided,* that the limitations as to bonded indebtedness imposed by this section shall not apply to School District No. 1 of Dorchester County and the school district may incur bonded indebtedness for school purposes to an amount not exceeding fifteen per cent of the assessed value of all taxable property therein. The bonded indebtedness of the district shall not be considered in determining the power to incur indebtedness by any municipality, or of the county or State, wholly covered or partially extending over the territory of the district."

SECTION 2. Submission to electors.—The proposed amendment shall be submitted to the qualified electors at the next general election for representatives. Ballots shall be provided at the various voting precincts with the following words printed or written thereon: "Shall Section 5 of Article X of the Constitution of this State be amended so as to permit School District No. 1 of Dorchester County to increase its bonded indebtedness up to fifteen per cent of the assessed value of the taxable property therein?

In favor of the amendment ☐
Opposed to the amendment ☐

Those voting in favor of the amendment shall deposit a ballot with a check or cross mark in the square after the words 'In favor of the amendment,' and those voting against the amendment shall deposit a ballot with a check or cross mark in the square after the words 'Opposed to the amendment.' "

SECTION 3. Amendment to Article X, Section 5, State Constitution, proposed—bonded indebtedness of School District 2 of Dorchester County.—There is proposed the following amendment to Section 5 of Article X of the Constitution of this State: add at the end of the section the following proviso: "*Provided,* that the limitations as to bonded indebtedness imposed by this section shall not apply to School District **No. 2 of Dorchester County** and the school district may incur bonded indebtedness for school purposes to an amount not exceeding fifteen per cent of the assessed value of all taxable property therein. The bonded indebtedness of the district shall not be considered in determining the power to incur indebtedness by any municipality, or of the county or State, wholly covered or partially extending over the territory of the district."

SECTION 4. Submission to electors.—The proposed amendment shall be submitted to the qualified electors at the next general election for representatives. Ballots shall be provided at the various voting precincts with the following words printed or written thereon: "Shall Section 5 of Article X of the Constitution of this State be amended so as to permit School District No. 2 of Dorchester County to increase its bonded indebtedness up to fifteen per cent of the assessed value of the taxable property therein?

In favor of the amendment ☐
Opposed to the amendment ☐

Those voting in favor of the amendment shall deposit a ballot with a check or cross mark in the square after the words 'In favor of the amendment,' and those voting against the amendment shall deposit a ballot with a check or cross mark in the square after the words 'Opposed to the amendment.' "

SECTION 5. Amendment to Article X, Section 5, State Constitution, proposed—bonded indebtedness of School District 3 of Dorchester County.—There is proposed the following amendment to Section 5 of Article X of the Constitution of this State: add at the end of the section the following proviso: "*Provided,* that the limitations as to bonded indebtedness imposed by this section shall not apply to

School District No. 3 of Dorchester County and the school district may incur bonded indebtedness for school purposes to an amount not exceeding fifteen per cent of the assessed value of all taxable property therein. The bonded indebtedness of the district shall not be considered in determining the power to incur indebtedness by any municipality, or of the county or State, wholly covered or partially extending over the territory of the district."

SECTION 6. Submission to electors.—The proposed amendment shall be submitted to the qualified electors at the next general election for representatives. Ballots shall be provided at the various voting precincts with the following words printed or written thereon: "Shall Section 5 of Article X of the Constitution of this State be amended so as to permit School District No. 3 of Dorchester County to increase its bonded indebtedness up to fifteen per cent of the assessed value of the taxable property therein?

In favor of the amendment ☐
Opposed to the amendment ☐

Those voting in favor of the amendment shall deposit a ballot with a check or cross mark in the square after the words 'In favor of the amendment,' and those voting against the amendment shall deposit a ballot with a check or cross mark in the square after the words 'Opposed to the amendment.' "

Ratified the 2nd day of February, 1965.

(R174, H1319) No. 584

An Act Providing For The Creation Of Watershed Conservation Districts In Dorchester County, And The Election Of Directors Of Watershed Conservation Districts And Their Powers And Duties; And Providing For A Levy Of Taxes For The Organization And Administration Of Such Districts, And For The Construction, Operation And Maintenance Of Works Of Improvement Within Such Districts.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Definitions.—Whenever used or referred to in this act, unless a different meaning clearly appears from the context:

(1) "Watershed conservation district" means a governmental subdivision of this State, and a public body corporate and politic, organ-

ized in accordance with the provisions of this act, for the purposes, with the powers, and subject to the restrictions hereinafter set forth.

(2) "Director" means one of the members of the governing body of a watershed conservation district, elected in accordance with the provisions of this act.

(3) "Supervisor" means one of the members of the governing body of the Dorchester Soil Conservation District in which any part of a watershed conservation district is situated.

(4) "Petition" means a petition filed under the provisions of Section 4 of this act for the creation of a watershed conservation district.

(5) "County" means Dorchester County of South Carolina.

(6) "Landowner" or "owner of land" includes any person, firm or corporation who shall hold legal or equitable title to any lands lying within a watershed conservation district organized under the provisions of this act.

(7) "Due notice" means notice published at least twice, with an interval of at least one week between the two publication dates, in a publication of general circulation within the appropriate area, or, if no such publication of general circulation be available, notice posted at a reasonable number of conspicuous places within the appropriate area, such posting to include, where possible, posting at public places where it is customary to post notices concerning county or municipal affairs generally.

SECTION 2. Watershed Conservation Districts may be formed in Dorchester County.—Authority is hereby granted to form watershed conservation districts within Dorchester County for the purpose of developing and executing plans and programs relating to any phase of the control and prevention of soil erosion, flood prevention, or the conservation, development, utilization, and disposal of water.

SECTION 3. Area.—The area embraced in a watershed conservation district must be contiguous and must lie within a well-defined watershed; and such area shall not include lands located within the boundary of any incorporated city or town, or lands embraced in another watershed conservation district.

SECTION 4. Petition for formation.—When twenty-five or more landowners within a proposed watershed conservation district, or, if less than fifty landowners are involved, a majority of such landowners, desire to form a watershed conservation district, they shall file a petition with the supervisors of the soil conservation district asking

that a watershed conservation district be organized to function in the area described in the petition. Such petition shall set forth the proposed name of the watershed conservation district; that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory described in the petition; a description of the territory proposed to be organized as a watershed conservation district, which description need not be given by metes and bounds or by legal subdivisions, but shall be deemed sufficient if generally accurate; and the approximate number of acres of land included in the proposed watershed conservation district.

SECTION 5. Hearing on petition.—(1) Within thirty days after such petition has been filed with the supervisors of the soil conservation district, they shall cause due notice to be given of a hearing upon the question of the desirability and necessity, in the interest of the public health, safety, and welfare, of the creation of such watershed conservation district. All interested parties shall have the right to attend such hearing and to be heard. If it shall appear at the hearing that other lands should be included in the petition or that lands included in the petition should be excluded, the supervisors shall permit such inclusion or exclusion, provided the land area involved still meets the requirements of Section 3 of this act.

(2) If it appears upon the hearing that it may be desirable to include within the proposed watershed conservation district territory outside of the area within which due notice of the hearing has been given, the hearing shall be adjourned and due notice of a further hearing shall be given throughout the entire area considered for inclusion in the proposed watershed conservation district, and such further hearing shall be held. After final hearing, if the supervisors of the soil conservation district determine, upon the facts presented at the hearing and upon other available information, that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory considered at the hearing, they shall make and record such determination, and shall define the area, but the description need not be given by metes and bounds. The description shall be deemed sufficient if generally accurate and the approximate number of acres of land included in the proposed watershed conservation district is shown.

(3) If the supervisors of the soil conservation district determine after such hearing that there is no need for a watershed conservation district to function in the territory considered at the hearing, they shall make and record such determination and shall deny the petition.

SECTION 6. Referendum.—After the supervisors of the soil conservation district have made and recorded a determination that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory considered at the hearing, and have defined the boundaries thereof, they shall consider the question whether the operation of a watershed conservation district within the proposed boundaries with the powers conferred upon it by this act is administratively practicable and feasible. To assist the supervisors in making this determination, they shall, within a reasonable time after the entry of a finding that there is need for the organization of a watershed conservation district and the determination of the boundaries thereof, hold a referendum within the proposed watershed conservation district upon the proposition of the creation of the watershed conservation district. Due notice of the referendum shall be given by the supervisors. Such notice shall state the date of holding the referendum, the hours of opening and closing the polls, and shall designate one or more places within the proposed watershed conservation district as polling places and shall give notice that the directors shall have the power of eminent domain. The supervisors shall have full charge of the referendum and shall have suitable ballots printed and furnished to each polling place; appoint necessary box managers and other referendum officials, and shall canvass the ballots and announce the results. The cost of holding the referendum shall be paid from the general fund of Dorchester County. *Provided*, that notwithstanding any provision of law to the contrary the power of eminent domain shall not be exercised over the protest of any landowner until it is conclusively established that the land proposed to be condemned is absolutely essential to the creation and operation of the watershed conservation district.

SECTION 7. Question.—The question to be voted on shall be submitted by ballots upon which appear the words:
"For creation of ..... Watershed Conservation District"
"Against creation of ..... Watershed Conservation District"
A square shall follow each proposition. The ballot shall contain a direction to insert an "X" mark in the square following one or the other of the propositions as the voter may favor or oppose creation of the watershed conservation district. The ballot shall set forth the boundaries of the proposed watershed conservation district as determined by the supervisors of the soil conservation district. No one except owners of lands lying within the boundaries of the proposed

watershed conservation district, as determined by the supervisors of the soil conservation district, shall be eligible to vote in the referendum. Qualified voters may vote by absentee ballot in the referendum under such rules and regulations as may be prescribed by the supervisors. No informalities in the conduct of the referendum or in any matters relating thereto shall invalidate the referendum or the result thereof if notice of the referendum shall have been given substantially as herein provided and the referendum shall have been fairly conducted.

SECTION 8. Results—district to be created if results and determination favorable.—The votes shall be counted by the referendum officials at the close of the polls and a report of the results along with the ballots shall be delivered and certified to the supervisors of the soil conservation district; and thereafter the supervisors shall determine whether the operation of the watershed conservation district within the defined boundaries is administratively practicable and feasible. If the supervisors determine that the operation of such district is not administratively practicable and feasible, they shall record such determination and deny the petition. If the supervisors determine that the operation of such district is administratively practicable and feasible, they shall record such determination and shall proceed with the organization of such district in the manner hereinafter set forth; *provided,* however, that the supervisors shall not have authority to determine that the operation of such district is administratively practicable and feasible unless at least a majority of the votes cast in the referendum upon the proposition of the creation of such district shall have been cast in favor of the creation of such district. If the supervisors shall determine that the operation of such district is administratively practicable and feasible, they shall certify such determination to the Clerk of Court of Dorchester County, the Code Commissioner and to the Secretary of State. Upon proper recordation of such determination, such watershed conservation district shall constitute a governmental subdivision of this State and a public body corporate and politic. After being recorded, such certification shall be filed with the State Soil Conservation Committee.

SECTION 9. Board of directors to govern district—nominating petitions—election—ballots—terms—officers—bond of treasurer.—(1) The governing body of the watershed conservation district shall consist of five directors, elected as provided herein.

(2) Within thirty days after a watershed conservation district has been created, nominating petitions may be filed with the supervisors of the soil conservation district to nominate candidates for directors of the watershed conservation district. No such nominating petition shall be accepted by the supervisors unless it is signed by twenty-five or more landowners within the watershed conservation district, or, if less than fifty landowners are involved, by a majority of such landowners. If the candidates nominated do not exceed the number of directors to be chosen, the supervisors shall declare them to be elected. No person shall be eligible to be a director of a watershed conservation district who is not a landowner in the watershed conservation district in which he seeks election.

(3) If the candidates nominated for directors of the watershed conservation district exceed the number of directors to be chosen, the supervisors of the soil conservation district shall, after having given due notice thereof, cause an election to be held within the watershed conservation district within a reasonable time after the expiration of the nominating period. The provisions of Sections 5, 6 and 7 of this act as to notice, qualifications of voters, absentee voting, and the manner of holding the referendum in organizing a watershed conservation district, shall apply insofar as practicable to the election of the directors. The names of all qualified nominees shall be printed in alphabetical order upon ballots with a square before each name and a direction to insert an "X" mark in the square before any five names to indicate the voter's preference. Only landowners within the watershed conservation district shall be eligible to vote in the election. The five candidates who shall receive the largest number respectively of the votes cast in the election shall be the directors of the watershed conservation district, and shall, upon the supervision of the supervisors of the soil conservation district, be the governing body of the watershed conservation district.

(4) Of the directors first elected, the two receiving the largest number of votes shall serve for terms of four years, the two receiving the next largest number of votes shall serve for terms of three years, and the one receiving the next largest number of votes shall serve for a term of two years. The term of office of each of their successors shall be for four years. Any vacancy shall be filled for the unexpired term as provided to original directors.

(5) The directors shall annually designate from among their number a chairman, secretary, and treasurer. The treasurer shall execute

an official bond for the faithful performance of the duties of his office, to be approved by the directors. Such bond shall be executed by a surety company authorized to do business in this State and shall be in an amount determined by the directors. The premium on each bond shall be paid by the watershed conservation district.

SECTION 10. District to be corporate body—powers and duties.—A watershed conservation district organized under the provisions of this act shall constitute a governmental subdivision of this State, and a public body corporate and politic, exercising public powers, and such district and the directors thereof shall, subject to the approval of the supervisors of the soil conservation district, have the following powers, in addition to others granted in other sections of this act:

(1) To acquire, by purchase, exchange, lease, gift, grant, bequest, devise, or otherwise, or through condemnation proceedings in the manner provided in Sections 25-101 through 25-140 and Sections 33-121 through 33-148, Code of Laws of South Carolina, 1962, such lands, easements, or rights-of-way as are needed to carry out any authorized purpose of the watershed conservation district; and to sell, lease, or otherwise dispose of any of its property or interests therein in furtherance of the purposes and provisions of this act;

(2) To construct, reconstruct, repair, enlarge, improve, operate, and maintain such works of improvement as may be necessary or convenient for the performance of any of the operations authorized by this act;

(3) To borrow money and to execute promissory notes and other evidences of debt in connection therewith for payment of the costs and expenses of organizing the watershed conservation district for carrying out any authorized purpose of such district, and if promissory notes are issued, to execute such mortgages on any property owned by such district, or assign or pledge such revenues or assessments of such district as may be required by the lender as security for the repayment of the loan; and to issue, negotiate, and sell its bonds as provided in Section 11 of this act;

(4) To levy an annual tax on the real property within the district subject to the limitations provided in Section 13 of this act for payment of the costs and expenses of organizing the watershed conservation district or for carrying out any authorized purpose of such district. Such levy shall be made only after approval by the super-

visors of the soil conservation district and the county legislative delegation and upon notifying the county auditor.

SECTION 11. Bonds not to be issued unless referendum held.—(1) Bonds authorized by Section 10 of this act shall not be issued until proposed by order or resolution of the directors of the watershed conservation district, specifying the purpose for which the funds are to be used and the proposed undertaking, the amount of bonds to be issued, the rate of interest they are to bear, and the amount of any necessary tax levy in excess of the maximum authorized in Section 13 of this act. A copy of the order or resolution shall be certified to the supervisors of the soil conservation district.

(2) The supervisors shall hold a hearing on such proposal after having given due notice. If it appears that the proposal is within the scope and purpose of this act and meets all other requirements of the law, the proposal shall be submitted to the landowners of the district by a referendum held by the supervisors.

(3) The provisions of Sections 5, 6 and 7 of this act as to notice, qualifications of voters, absentee voting, and manner of holding the referendum in organizing a watershed conservation district shall apply to the referendum held under this section.

(4) If two-thirds of the votes cast in such referendum favor the proposal, the directors shall, with the approval of the supervisors, be authorized to issue such bonds.

SECTION 12. Compensation.—The directors of the watershed conservation district shall receive no compensation for their services, but they may be reimbursed for expenses, including traveling expenses, necessarily incurred in the performance of their duties as approved by the supervisors of the soil conservation district.

SECTION 13. Budget—tax levy.—Within the first quarter of each calendar year, the directors of the watershed conservation district shall prepare an itemized budget of the funds needed for administration of the watershed conservation district and for construction, operation and maintenance of works of improvement. After approval of such budget by the supervisors of the soil conservation district, the county auditor shall levy a tax sufficient to meet such budget on all real property within the watershed conservation district of not to exceed five mills on each dollar of assessed valuation, except that this limitation shall not apply to any levy necessary to provide a sinking fund for the retirement of bonds authorized by Section 11 of this act.

A copy of such budget shall be certified to the Auditor of Dorchester County.

SECTION 14. List of landowners and acres subject to assessment.—(1) The directors of the watershed conservation district with the assistance of the county auditor shall prepare a list of the landowners involved showing the number of acres subject to assessment.

(2) When the property tax rolls are delivered to the county treasurer by the county auditor, as required by law, the county treasurer shall compute the tax due the watershed conservation district from each landowner in accordance with the rate fixed by the directors and the value of the real property indicated on the tax roll. The computation shall be made on the regular tax bills.

SECTION 15. Collection of taxes.—(1) The county treasurer shall collect the taxes due the watershed conservation district at the same time and in the same manner as he collects other taxes of the county.

(2) The taxes shall be subject to the same due and delinquency dates, discounts, penalties and interest as are applied to the collection of county taxes.

SECTION 16. Expenditures.—Tax funds collected shall be transferred to and held by the treasurer of the watershed conservation district for the specific purpose for which they have been collected. All expenditures of such funds shall be made by the directors of the watershed conservation district with the approval of the supervisors of the soil conservation district.

SECTION 17. Petition to have lands detached.—The owners of lands which have not been, are not and cannot be benefited by their inclusion in the watershed conservation district may petition the supervisors of the soil conservation district to have such lands detached. The petition shall describe such lands and state the reasons why they should be detached. A hearing shall be held by the supervisors within thirty days after the petition is filed and due notice of such hearing shall be given by the supervisors. If it is determined by the supervisors that such lands shall be detached, such determination shall be certified to the Auditor of Dorchester County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee.

SECTION 18. Petition for discontinuance of district—hearing—referendum—discontinuance if election and determination

favorable.—(1) At any time after five years after the organization of a watershed conservation district, twenty-five or more landowners within such district, or if less than fifty landowners are involved, a majority of such landowners, may file a petition with the supervisors of the soil conservation district asking that the existence of the watershed conservation district be discontinued. The petition shall state the reasons for discontinuance, and that all obligations of the watershed conservation district have been met. The supervisors may conduct such hearings upon the petition as may be necessary to assist them in the consideration thereof.

(2) Within sixty days after petition has been filed with the supervisors they shall give due notice of the holding of a referendum. The supervisors shall hold such referendum substantially as provided for in Section 11 of this act. The question shall be submitted by ballots upon which the words "For terminating the existence of the ..... Watershed Conservation District" and "Against terminating the existence of the ..... Watershed Conservation District" shall be printed, with a square before each proposition and a direction to insert an "X" mark in the square before one or the other of the propositions as the voter may favor or oppose the discontinuance of such watershed conservation district. Only landowners within the watershed conservation district shall be eligible to vote in such referendum. No informality in the conduct of the referendum or in any matters relating thereto shall invalidate the referendum or the results thereof if notice of the referendum shall have been given substantially as herein provided and the referendum shall have been fairly conducted.

(3) The supervisors shall publish the results of the referendum and shall thereafter determine whether the continued operation of the watershed conservation district is administratively practicable and feasible. If the supervisors determine that the continued operation of the watershed conservation district is administratively practicable and feasible, they shall record such determination and deny the petition. If the supervisors determine that the continued operation of the watershed conservation district is not administratively practicable and feasible, they shall record such determination and shall certify such determination to the directors of the watershed conservation district; *provided,* however, that the supervisors shall not be authorized to determine that the continued operation of the watershed conservation district is administratively practicable and feasible unless

at least a majority of the votes cast in the referendum shall have been cast in favor of the continuance of the watershed conservation district.

(4) Upon receipt from the supervisors of a certification that they have determined that the continued operation of the watershed conservation district is not administratively practicable and feasible, the directors shall forthwith proceed to terminate the affairs of the watershed conservation district. A copy of the determination shall be certified to the Auditor of Dorchester County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee.

SECTION 19. Supervisory authority if district discontinued.—If the Dorchester Soil Conservation District is discontinued, all supervisory authority over the affairs of the watershed conservation district which was previously exercised by the supervisors shall thereafter be exercised by the governing body of Dorchester County.

SECTION 20. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of March, 1965.

(R250, S222)

No. 585

An Act To Authorize The Trustees Of Dorchester County School District No. 2 To Borrow Not Exceeding One Hundred Ninety Thousand Dollars To Be Used For School Purposes, And To Provide For The Payment Of Such Loan.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. School District 2 of Dorchester County may borrow money.—The Board of Trustees of School District No. 2 of Dorchester County is hereby authorized to borrow not exceeding one hundred ninety thousand dollars from the Division of General Services, or any other lending agency at the lowest interest rate available, for the purpose of constructing additional facilities, making additions to existing buildings, or for equipping such facilities for school purposes. The amount borrowed shall be evidenced by a note to be executed by each member of the board. The note shall bear interest at not exceeding four per cent per annum from the date thereof,

interest to be paid annually, and shall be payable in five equal, annual installments, with the right to anticipate payment thereof at any annual interest-paying period.

SECTION 2. Payment.—For the payment of the note the board shall pledge the annual grant from the State Educational Finance Commission for the repayment of the loan and the interest thereon.

SECTION 3. Payment further.—As additional security for the loan, in the event the annual grant to the school district by the State Educational Finance Commission shall be insufficient to pay the principal and interest on the loan, the Auditor of Dorchester County shall levy, and the Treasurer of Dorchester County shall collect, an annual tax upon all of the taxable property of the district sufficient to retire the loan and the interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note, inclusive of interest, in full, at which time the levy provided herein shall be terminated. In the event the school district may receive or have on hand any funds not otherwise pledged nor designated for a particular use, such funds may be used for payment of the loan and interest thereon.

SECTION 4. Payment further.—Should the money be borrowed from the Division of General Services and should there be default in any payment, the State Treasurer shall withhold all state funds accruing to the district and transmit such funds to the Division of General Services.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1965.

(R446, S328)

No. 586

An Act To Authorize The Governing Body Of Dorchester County To Borrow Not Exceeding Three Hundred Fifty Thousand Dollars For The Construction Of County Roads; To Provide That The Roads Shall Be Constructed By The State Highway Department Pursuant To A Contract Of Reimbursement To Be Made Between The Governing Body And The State Highway Department; And To Provide For The Payment Of The Loan.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that by Section 65-1075, Code of Laws of South Carolina, 1962, provision was made for the continuance of the so-called Farm-to-Market or State Secondary Highway program for the period to end June 30, 1972, and that it was therein provided the method by which funds available for such purpose should be apportioned among the counties of the State.

Pursuant to the program, funds were made available for Farm-to-Market roads in Dorchester County for the fiscal year ending June 30, 1964, in the amount of one hundred eighteen thousand four hundred dollars, and it is to be reasonably anticipated that during each fiscal year throughout the period to end June 30, 1972, further substantial apportionments will be made.

In Dorchester County it has been determined that an immediate need exists for further Farm-to-Market roads, and that the Governing Body of Dorchester County (the board) should be empowered to borrow not exceeding three hundred fifty thousand dollars and to make such sum available to the State Highway Department which, in turn, should apply it to the construction of the most-needed county roads in Dorchester County, which have been transferred to and become a part of the State's Secondary Highway System (Farm-to-Market roads).

SECTION 2. Dorchester County may borrow money—conditions.—If a suitable agreement can be reached between the board and the State Highway Department providing that the State Highway Department shall construct Farm-to-Market roads in Dorchester County to an extent mutually agreed upon and divert moneys which would otherwise be expended in future years for Farm-to-Market roads in Dorchester County, to the extent estimated to be necessary to meet the payment of the principal of the obligation herein authorized, the board is authorized to borrow three hundred fifty thousand dollars which shall be repaid in seven equal, successive, annual instalments, with interest at a rate to be agreed upon by the board and the lender, the first annual instalment to become due and payable not later than October 1, 1966.

SECTION 3. Issuance of notes.—Notes issued pursuant to this act shall be in such denominations and form as the board shall approve, shall be executed as the board shall prescribe, and may be subject to redemption as the board shall determine. The notes and the interest

thereon shall have the tax-exempt status prescribed by Section 65-4.1 of the Code of 1962.

SECTION 4. Payment.—For the payment of the principal and interest of the note issued pursuant to this act, the full faith, credit and taxing power of Dorchester County, shall be irrevocably pledged, and there shall be levied annually by the Auditor of Dorchester County, and collected by the Treasurer of Dorchester County, in the same manner as county taxes are levied and collected, a tax without limit, on all taxable property in Dorchester County, sufficient to pay the principal and interest on the note as it becomes due and to create such sinking fund as may be necessary therefor; *provided* that the ad valorem tax levy shall be reduced to the extent that there has been paid to the county treasurer by the State Highway Department moneys pursuant to the reimbursement agreement herein authorized, on the occasion in each year when the ad valorem tax levy is to be made, and in all instances where an annual tax levy is so reduced, the moneys received from the reimbursement agreement shall be applied to the payment of such principal and to no other purpose.

SECTION 5. Proceeds.—The proceeds derived from any note issued pursuant to this act shall be paid to the Dorchester County Treasurer, and shall be deposited in a special account and shall be first applied to the expenses incident to issuance of the note and so much as remains thereafter shall be turned over to the State Highway Department and applied by it on Farm-to-Market roads in Dorchester County.

SECTION 6. Highway Department may reimburse Dorchester County.—The State Highway Department is hereby authorized to reimburse Dorchester County for all moneys turned over to it by Dorchester County pursuant to this act. This reimbursement shall be made in annual instalments (in amounts not exceeding the annual debt service on the obligation) out of the apportionment of funds accruing to Dorchester County under the State Highway Department's Farm-to-Market Construction Program and by reason of the statute, if so much thereof shall accrue to Dorchester County. The State Highway Department shall not be obligated to the repayment to Dorchester County for any instalment due under its reimbursement agreement unless sufficient amounts for the instalments shall accrue to Dorchester County under the State Farm-to-Market Construction Program. The State Highway Department shall not be required to pay

any interest to Dorchester County for funds turned over to the department pursuant to the provisions of this act. If, during any year, the apportionment to which Dorchester County is entitled exceeds the sum required to meet the annual instalment of principal or interest of the note in that year, then the excess shall be applied by the State Highway Department as if no reimbursement agreement had been entered into.

SECTION 7. Powers to be additional.—The powers and authorizations conferred upon the board and the State Highway Department shall be in addition to all other powers and authorizations previously vested in them.

SECTION 8. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of May, 1965.

(R457, S350) **No. 587**

An Act To Authorize The Closing Of A Dirt Road In Dorchester County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Portion of road closed in Dorchester County.—The governing body of Dorchester County is directed to close and abandon a portion of the Old Country Club Road described as follows:

> Beginning at Pinehurst Avenue on a Plat hereinafter referred to extending across lots of T. W. Salisbury, Jr., across lands of Stuckey Brothers and Bradham Furniture Co., and across another lot of T. W. Salisbury, Jr., to an unopened dedicated street known as Holly Lane. The above described streets, lanes, and lots will more fully appear reference being had to a Plat of Country Club Estates Subdivision by Thomas W. Bailey, Surveyor, dated February 21, 1961, and recorded in Plat Book 14, at Page 43.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1965.

(R465, H1642)

No. 588

An Act To Create The Dorchester County Water Authority; To Provide For Its Governing Body And Define Its Powers And Duties; And To Prohibit Municipalities Or Other Agencies From Extending Present Water Systems Without Prior Approval.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Dorchester County Water Authority created.—There is hereby created a body corporate and politic, to be known as the Dorchester County Water Authority, hereinafter sometimes referred to as the "Authority." Its service area shall include all of Dorchester County, excluding any area within an incorporated municipality. It shall be the function of the Authority to acquire supplies of fresh water, capable of being used for industrial and domestic purposes, and to distribute such water, in the manner herein provided, for industrial and domestic use within its service area. To that end, it shall be empowered to construct such reservoirs, diversion dams, impounding dams or dikes, canals, conduits, aqueducts, tunnels, water distribution facilities, water mains and water lines, as in the opinion of the Authority may be deemed necessary, and to acquire such land, rights of way, easements, machinery, apparatus and equipment as shall be deemed useful therefor.

SECTION 2. Members—appointments—terms—vacancies.—The Authority shall be composed of five members, who shall be resident electors of Dorchester County and who shall be appointed by the Governor, upon the recommendation of a majority of the members of the Dorchester County Legislative Delegation. Of those originally appointed, two shall be appointed for terms of two years, two for terms of four years and one for a term of six years. Upon the termination of the terms of the original members, their successors shall be appointed by the Governor, in the same manner as is provided for the original appointment, for terms of six years. Any vacancy occurring by reason of death, resignation or otherwise shall be filled for the remainder of the unexpired term by appointment by the Governor in the same manner as is provided for the original appointment. All members of the Authority shall hold office until their successors shall have been appointed and qualify.

SECTION 3. Compensation.—The members of the Authority shall receive no compensation, but may be reimbursed for any actual expenses incurred in connection with the business of the Authority.

SECTION 4. Officers.—The Authority shall convene and organize by electing one of its members chairman, a second vice chairman and a third secretary. The terms of office of the foregoing officers of the Authority shall be for such period as the Authority shall determine by its bylaws.

SECTION 5. Personnel of Authority to be on file.—The secretary of the Authority shall from time to time file in the office of the Clerk of Court for Dorchester County appropriate certificates showing the personnel of the Authority and the duration of the terms of the respective members.

SECTION 6. Service area.—To the end that the Authority shall not unduly compete with the existing publicly-operated water systems in the county, the Authority shall not sell water to be used by persons or private corporations within the corporate limits of such municipalities or areas now served by municipalities without the consent of the municipal officers of such municipalities, nor shall it sell water elsewhere than in Dorchester County, such county being hereby defined to be the service area of the Authority.

SECTION 7. Powers.—The Authority shall be fully empowered to acquire, construct, operate, maintain, improve and extend facilities which would enable it to obtain fresh water in large volume, and to distribute and sell the same, subject to the limitations set forth in Section 6 of this act, to persons, firms, corporations, municipal corporations, political divisions, and the United States Government, or any agencies thereof, at any point within its service area. To that end, the Authority shall have the following powers:

(1) To have perpetual succession.

(2) To sue and be sued.

(3) To adopt, use and alter a corporate seal.

(4) To define a quorum for its meetings.

(5) To establish a principal office.

(6) To make bylaws for the management and regulation of its affairs.

(7) To build, construct, maintain and operate canals, aqueducts, ditches, tunnels, culverts, flumes, conduits, mains, pipes, dikes, dams and water reservoirs.

(8) To impound fresh water in lakes or reservoirs.

(9) To build, construct, maintain and operate water distribution systems for the distribution of water for domestic or industrial use and from time to time enlarge and extend such systems.

(10) To acquire and operate any type of machinery, appliances or appurtenances, necessary or useful to discharge the functions committed to the Authority by this act.

(11) To accept gifts or grants of services, properties or moneys from the United States, or any of its agencies, under such conditions as the United States, or such agency, shall prescribe.

(12) Subject to the provisions of Section 6 of this act, to sell water for industrial or domestic use.

(13) To prescribe rates and regulations under which water shall be sold for domestic and industrial use.

(14) Subject to the provisions of Section 6 of this act, to enter into contracts for the sale of water, upon such terms as the parties thereto shall approve, with persons, private corporations, municipal corporations, public bodies, public agencies and with the United States Government, or any agencies thereof.

(15) To prescribe such regulations as it shall deem necessary to protect from pollution all water in its canals, aqueducts, reservoirs or distribution systems.

(16) To make contracts of all sorts and to execute all instruments necessary or convenient for the carrying on of the Authority.

(17) To lease or sell and convey lands, or interests therein.

(18) To make use of county and State highway rights of way in which to lay pipes and lines, in such manner and under such conditions as the appropriate officials in charge of such rights of way shall approve.

(19) Subject always to the limitations of Section 4, Article VIII of the Constitution, to make use of the streets and public ways of any incorporated municipality for the purpose of laying pipes and lines.

(20) To alter and change county and State highways wherever necessary in order that it may discharge the functions committed to it, in such manner and under such conditions as the appropriate officials in charge of such highways shall approve.

(21) To acquire, by purchase, gift or through the exercise of eminent domain, all land, interests therein, easements and rights of way which the Authority shall deem necessary to enable it to fully and adequately discharge all functions committed to it. The power herein granted shall be deemed to include the power to acquire protective areas of land adjacent to any of its facilities.

(22) To exercise the power of eminent domain for any corporate function. The power of eminent domain may be exercised through any

procedure prescribed by Chapter 3, Title 25, of the Code of Laws of South Carolina, 1962, or by following the procedure for the exercise of eminent domain by the State Highway Department, prescribed by Article 2, Chapter 3, Title 33, Code of Laws of South Carolina, 1962, as such statutes are now constituted or as they may afterwards be constituted following any amendments thereto.

(23) To appoint officers, agents, employees and servants, to prescribe the duties of such, to fix their compensation, and to determine if and to what extent they shall be bonded for the faithful performance of their duties.

(24) To make contracts for construction, engineering, legal and other services, with or without competitive bidding.

(25) To borrow money and to make and issue negotiable bonds, notes and other evidences of indebtedness, payable from all or any part of the revenues derived from the operation of its facilities. The sums borrowed may be those needed to pay all costs incident to the construction and establishment of the facilities, and any extension, addition, and improvement thereto, including engineering costs, construction costs, the sum needed to pay interest during the period prior to which the facilities, or any extension, addition or improvement thereto shall be fully in operation and self-liquidating, such sum as is needed to supply working capital to place the facilities in operation, and all other expenses of any sort that the Authority may incur in establishing, extending and enlarging the facilities. Neither the faith and credit of the State, nor of any county, municipality or political subdivision of the State shall be pledged for the payment of the principal and interest of the obligations and there shall be on the face of each obligation a statement, plainly worded to that effect. Neither the members of the Authority nor any person signing the obligations shall be personally liable thereon. To the end that a convenient procedure for borrowing money may be prescribed, the Authority shall be fully empowered to avail itself of all power granted by Article 6, Chapter 4, Title 59, Code of Laws of South Carolina, 1962, and by Chapter 6, Title 59, Code of Laws of South Carolina, 1962, as now or hereafter constituted, it being the intent of this provision that further amendments and modifications of these Code provisions shall be deemed to amend and revise correspondingly the powers granted by this section. In exercising the power conferred upon the Authority by such Code provisions, the Authority may make all pledges and covenants authorized by any provision thereof, and may

confer upon the holders of its securities all rights and liens authorized by such Code provisions. Specifically, and notwithstanding contrary provisions in any of such Code provisions, if contrary provisions there be, the Authority may:

(a) Covenant and agree that upon it being adjudged in default as to the payment of any installment of principal or interest upon any obligation issued by it or in default as to the performance of any covenant or undertaking made by it, that in such event, the principal of all obligations of such issue may be declared forthwith due and payable, notwithstanding that any of them may not have then matured;

(b) Confer upon a corporate trustee the power to make disposition of the proceeds from all borrowings and of all revenues derived from the operation of the facilities, in accordance with and in the order of priority prescribed by the resolutions adopted by the Authority as an incident to the issuance of any notes, bonds or other types of securities;

(c) Declare that such obligations and the interest thereon shall be exempt from all State, county, municipal, school district, and all other taxes or assessments, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise. This provision shall be deemed a part of the contract, inuring to the benefit of all holders or beneficiaries of its securities;

(d) Dispose of its obligations at public or private sale, and upon such terms and conditions as it shall approve;

(e) Make such provision for the redemption of any obligations issued by it prior to their stated maturity, with or without premium, and on such terms and conditions as the Authority shall approve;

(f) Covenant and agree that any cushion fund established to further secure the payment of the principal and interest of any obligations shall be in a fixed amount;

(g) Limit or prohibit free service to any person, firm, corporation, municipal corporation, or any subdivision or division of the State;

(h) Prescribe the procedure, if any, by which the terms of the contract with the holders of its obligations may be amended, the number of obligations whose holders must consent thereto, and the manner in which such consent shall be given;

(i) Prescribe the events of default and the terms and conditions upon which all or any obligations shall become or may be declared due before maturity, and the terms and conditions upon which such declaration and its consequences may be waived.

(26) To do all other acts and things necessary or convenient to carry out any function or power committed or granted to the Authority.

Provided, that nothing in this act shall be construed to affect or interfere with the present rights of the Commissioners of Public Works of the City of Charleston to obtain water from the Edisto River, as set forth in Act No. 84 of 1963.

SECTION 8. Rates not to be regulated.—The rates charged for services furnished by the Authority shall not be subject to supervision or regulation by any State bureau, board, commission or like instrumentality or agency thereof.

SECTION 9. Exempt from taxes.—All property of the Authority shall be exempt from all ad valorem taxes levied by the State, county or any municipality, division, subdivision or agency thereof, direct or indirect.

SECTION 10. Fiscal year and audit.—The Authority shall conduct its affairs on the fiscal year basis employed by the State, viz., its fiscal year shall begin on July first of each year and shall end on the thirtieth day of June of the succeeding year. As shortly after the close of its fiscal year as may be practicable, an audit of its affairs shall be made by certified public accountants, of good standing, to be designted by the Authority. Copies of such audits, incorporated into an annual report of the Authority, shall be filed in the office of the Clerk of Court for Dorchester County, and with the Secretary of State.

SECTION 11. Unlawful acts.—It shall be unlawful for any person to wilfully injure or destroy, or in any manner hurt, damage, tamper with, or impair the facilities of the Authority, or any part of such facilities, or any machinery, apparatus or equipment of the Authority, or to pollute the water in any part of its service area, or to obtain water therefrom except in accordance with the regulations promulgated by the Authority. Any person so offending shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not less than ten dollars nor more than one hundred dollars, or shall be imprisoned for not more than thirty days, at the discretion of the court, and shall be further liable to pay all damages suffered by the Authority.

SECTION 12. Revenues.—All revenues derived by the Authority from the operation of its facilities, which may not be required to dis-

charge covenants made by it in issuing bonds, notes or other obligations authorized by this act, shall be disposed of by the Authority from time to time for purposes germane to the functions of the Authority, or in such other manner as the General Assembly may, by proper enactment, direct.

SECTION 13. Public entities may purchase water.—All municipalities, public bodies and public agencies operating water district systems in and adjacent to Dorchester County shall be fully empowered to enter into contracts to buy water from the Authority. Such contracts shall extend over such period of time and shall contain such terms and conditions as shall be mutually agreeable to the Authority, and to the contracting municipality, public body or public agency. No municipality or other agency operating water systems shall extend its present facilities without prior written approval of the Authority.

SECTION 14. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 27th day of May, 1965.

(R474, H1735)

No. 589

An Act To Provide For The Levy Of Taxes For Ordinary, School And General County Purposes For Dorchester County For The Fiscal Year Beginning July 1, 1965, And Ending June 30, 1966, And To Direct And Provide For The Expenditure Thereof; And To Otherwise Provide For The Fiscal Affairs And The Administration Of The Business Of Dorchester County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The following sums of money, if so much be necessary, be and the same are hereby appropriated for the purposes herein set forth for the County of Dorchester for the fiscal year beginning July 1, 1965, and ending June 30, 1966, and the Auditor of Dorchester County is hereby authorized to levy, and the Treasurer to collect, a tax upon all the taxable property in the county sufficient to defray the same, after deducting all other available income and revenue:

Item 1.	Roads and Bridges—Convicts and maintenance of Road Organization and Equipment	$ 60,000.00	
	Total, Item 1		$ 60,000.00
Item 2.	Salaries:		
	Clerk's Office:		
	Clerk of Court	$ 1,800.00	
	Clerical Help to Clerk, 3 @ $3,000.00 each	9,000.00	
	Books—Book Binding, Supplies	4,000.00	
			14,800.00
	Sheriff's Office:		
	Sheriff	4,500.00	
	Expenses for Sheriff—Travel, etc.	2,500.00	
	Clerical Help for Sheriff	3,000.00	
	Deputy Sheriffs (Four @ $300.00 per month)	14,400.00	
	Expenses—Deputy Sheriffs ($175.00 each per month)	8,400.00	
	Law Enforcement Fund (to be expended by Sheriff)	1,000.00	
	Payment on Radios	1,135.80	
	Deputy Sheriff and Jailer (Jailer to act as Radio Dispatcher at night)	2,000.00	
	Expense for Jailer	420.00	
	Uniforms for Deputies	700.00	
	Service and Reports on Radios	600.00	
			38,655.80
	County Treasurer's Office:		
	Treasurer	1,200.00	
	Clerk to Treasurer	3,000.00	
	Extra Help	500.00	
	Expense—Travel, etc.	1,800.00	
	Supplies	400.00	
			6,900.00
	Auditor's Office:		
	Auditor	1,200.00	
	Clerk to Auditor	3,000.00	

Extra Help	1,600.00	
Supplies	400.00	
		6,200.00
Tax Collector's Office:		
Tax Collector	4,000.00	
Expenses—Travel, etc. for Collector (All fees, except mileage, to be paid to the Treasurer)	600.00	
Clerk to Tax Collector	3,000.00	
		7,600.00
County Attorney	1,200.00	
		1,200.00
Coroner's Office:		
Coroner	600.00	
Expenses—Travel, etc.	300.00	
		900.00
Master in Equity's Office:		
Master in Equity	1,200.00	
Clerk—Part time to Master (All fees to be retained by Master)	1,200.00	
		2,400.00
Janitors for Courthouse, Office Building, Health Clinic, etc.	5,800.00	
Supplies	750.00	
		6,550.00
Road Supervisor's Office:		
Road Supervisor	4,800.00	
Expenses—travel, etc	600.00	
		5,400.00
Judge of Probate's Office:		
Judge of Probate (All fees to be retained by Judge of Probate)	2,700.00	
Clerk to Judge of Probate	3,000.00	
		5,700.00

	Board of Directors:	
	Chairman, Board of Directors	2,400.00
	Four Directors @ $900.00 each	3,600.00
	Clerk to Board of Directors	3,000.00
		9,000.00
	Clerk to Health Nurse at Summerville	2,700.00
		2,700.00
	Magistrates and Constables:	
	Magistrate at St. George	2,000.00
	Constable at St. George	1,740.00
	Magistrate at Reevesville	1,050.00
	Constable at Reevesville	750.00
	Magistrate at Harleyville	1,050.00
	Constable at Harleyville	750.00
	Magistrate at Ridgeville	1,050.00
	Constable at Ridgeville	750.00
	Magistrate at Summerville	2,000.00
	Constable at Summerville	2,000.00
	Assistant to Solicitor of First Judicial Circuit	350.00
		13,490.00
	Superintendent of Education's Office:	
	Superintendent—Salary Supplement	500.00
	Expense—Travel, etc.	500.00
	Clerk Hire—one	3,000.00
		4,000.00
	Total, Item 2	$125,495.80
Item 3.	County Boards:	
	A. Board of Education—Seven Members	$ 2,100.00
		2,100.00
	B. Board of Registration—Three Members @ $500.00 each	1,500.00
	Clerk to Board	500.00
	(Members and Clerk to receive $100.00 per month from Jan. 20, 1966 to June 20, 1966).	
		2,000.00

	C. Board of Assessors		2,000.00
			2,000.00
	D. Board of Health		9,500.00
	(The above amount to be expended, if so much be necessary, by the Board of Health for Rent, Utilities, Biologicals, etc., upon the written approval of the Dorchester County Legislative Delegation.)		
			9,500.00
	E. Forfeited Land Commission—Three Members		1,800.00
			1,800.00
	Total, Item 3		$ 17,400.00
Item 4.	Dieting of Prisoners at Jail, @ $1.25 per day		$ 12,000.00
			12,000.00
	Total, Item 4		$ 12,000.00
Item 5.	Jurors and Witnesses		$ 4,000.00
	Provided, that all jurors be paid $5.00 per day for attendance at court, and each witness be paid $3.00 per day for the same.		
			4,000.00
	Total, Item 5		$ 4,000.00
Item 6.	Charities:		
	Dorchester County Hospital		$ 25,000.00
			25,000.00
	Total, Item 6		$ 25,000.00
Item 7.	Post Mortems and Lunacies		$ 1,500.00
	Pauper Burials		500.00
			2,000.00
	Total, Item 7		$ 2,000.00

Item 8.	Charges for Water, Lights, Fuel, Insurance for Courthouse, Jail and County Buildings	$ 6,500.00
		6,500.00
	Total, Item 8	$ 6,500.00
Item 9.	Printing, Postage and Stationery (This amount to be paid by Board of Directors upon claims presented for above items for all County Officials.)	$ 5,000.00
		5,000.00
	Total, Item 9	$ 5,000.00
Item 10.	Miscellaneous:	
	A. Bond Premiums for County Officials	$ 750.00
	B. Expenses—Probation Officer	600.00
	B-1. Expenses—School Lunch Supervisor	300.00
	B-2. Expenses—Director, Department of Public Welfare	900.00
	B-3. Expenses—Visitors, Department of Public Welfare (Four @ $600.00 each)	$ 2,400.00
	B-4. Expenses—Board Members of the Department of Public Welfare	900.00
	B-5. Expenses—County Service Officer	600.00
	B-5. (A) Clerk to Service Officer	1,500.00
	B-6. Telephones—Courthouse, Jail and Department of Public Welfare (including long distance messages in official capacity only)	5,000.00
	B-7. Medical attention to prisoners	750.00
	B-8. Expenses—Visiting Teacher	600.00
	C. Rent—School Lunch Warehouse	300.00
	C-1. Stenographers—Welfare Department — Supplement	600.00
	C-2. Rent—Magistrate's Office—Summerville	300.00
	C-3. Emergency Relief—Department of Public Welfare	2,500.00
	C-4. County Agents—4-H Club Work	200.00
	C-5. Negro Home Demonstration Agent—Salary and Travel	720.00
	D. Negro Boys' 4-H Club Work	50.00

	E. Negro Girls' 4-H Club Work	50.00
	E-1. Negro Agent's Office Rent	360.00
	E-2. Clerk—Half-time Negro Agent and Home Demonstration Agent	600.00
	F. Supplies for Negro Home Demonstration Agent	50.00
	F-1. Supplies for Home Demonstration Agent	75.00
	F-2. Women's Home Demonstration Work	50.00
	G. Home Demonstration Agent—Salary Supplement	240.00
	G-1. County Agent—Salary Supplement	500.00
	G-2. Assistant County Agent—Salary Supplement	400.00
	G-3. Negro County Agent—Salary Supplement	400.00
	H. Clerk to County and Home Demonstration Agent	960.00
	I. Vocational Agriculture Program	850.00
	J. Airports at Summerville and St. George ($1,200-.00 each)	2,400.00
	K. Dorchester County Breeders' Association	300.00
	L. Harleyville-Ridgeville Public Libraries	100.00
	M. Timrod Library and Library Association	2,500.00
	N. Public Landings on rivers in County	1,800.00
	O. National Guard Companies—Maintenance @ $1,000.00 each	2,000.00
	O-1. Auditing of County Books	1,500.00
	P. Social Security—Employees	6,000.00
	P-1. Premiums—S. C. Industrial Commission	3,500.00
	P-2. Contributions—S. C. Retirement System	7,000.00
		50,605.00
	Total, Item 10	$ 50,605.00
Item 11.	A. Law Enforcement—Harleyville	$ 1,800.00
	B. Law Enforcement—Ridgeville	600.00
	C. Law Enforcement—Reevesville	300.00
		2,700.00
	Total, Item 11	$ 2,700.00
Item 12.	Dorchester County Circulating Library	$ 11,200.00
	(The above amount to be expended by the Dorchester County Library Board upon the written	

	approval of the Dorchester County Legislative Delegation.)		
			11,200.00
	Total, Item 12	$	11,200.00
Item 13.	A. To Dorchester Soil and Water Conservation District (To be expended upon the written approval of Dorchester County Legislative Delegation as follows: $500.00 on August 1, 1965 and $500.00 on January 1, 1966.)	$	1,000.00
	B. Civil Defense		1,500.00
			2,500.00
	Total, Item 13	$	2,500.00
Item 14.	A. For Industrial and Development purposes—to be used also in conjunction with Charleston and Berkeley Counties (To be expended on the written authorization of the Dorchester County Legislative Delegation.)	$	2,500.00
	B. Dorchester County's portion of maintenance and other costs at Berkeley-Charleston-Dorchester Technical Training Center		7,000.00
			9,500.00
	Total, Item 14	$	9,500.00
Item 15.	Contingent Fund (The above amount is appropriated to meet unforeseen emergencies in the operation of county government and shall be expended upon the written authorization of the Legislative Delegation of Dorchester County)	$	5,000.00
			5,000.00
	Total, Item 15	$	5,000.00
	GRAND TOTAL	$	338,900.80

LESS ESTIMATED REVENUE FROM OUTSIDE SOURCES:	
Gasoline Tax	$115,000.00
Fines	24,000.00
Insurance License Fees	15,000.00
Income Tax	32,000.00
Wine and Beer Tax	6,000.00
Bank Tax	1,500.00
Delinquent Taxes and Costs	20,000.00
Liquor Tax	22,000.00
Service Officer	4,173.00
Miscellaneous	6,000.00
Total, Estimated Revenue	$245,673.00
AMOUNT TO BE RAISED BY TAXATION	$ 93,227.80

Item 16. Bonded Indebtedness:

(1) The necessary amounts are hereby appropriated to meet the payment of principal and interest maturing during the fiscal year beginning July 1, 1965, and ending June 30, 1966, on all bond issues and other indebtedness now outstanding against the County of Dorchester.

(2) The County Treasurer is hereby empowered to borrow for county purposes during the fiscal year beginning July 1, 1965, and ending June 30, 1966, to the extent of the tax levy and other income or revenue of the county, if so much be necessary, upon his note or notes, and is empowered to pledge as security for such money borrowed, and interest thereon, the taxes of the year 1965, together with any other income or revenue of the county for the fiscal year 1965-1966.

(3) The County Auditor and County Treasurer are hereby required and authorized to collect three dollars per head from all persons liable for Road Work Commutation Tax.

(4) All drafts and warrants issued by the County Board of Directors upon the County Treasurer for the period beginning July 1, 1964, and ending June 30, 1965, the payment of which was authorized by the Dorchester County Delegation to the General Assembly, are hereby approved and confirmed.

(5) All fees on Tax Executions, including those of the Treasurer, beginning with executions for the year 1963, shall be paid to the County Treasury.

All Treasurer's fees on executions prior to 1963 shall be paid to the Treasurer.

SECTION 2. In case of a vacancy by death, resignation or otherwise in the office of any magistrate, constable or other officer of Dorchester County, the salary, expenses and other emoluments shall only be paid to a successor who has been recommended for appointment by the Senator and the Member of the House of Representatives from Dorchester County.

SECTION 3. Upon the written approval of the Legislative Delegation of Dorchester County, the trustees of each of the School Districts of Dorchester County are hereby authorized and empowered to borrow such sums of money as are necessary for the operating expenses of the schools for the 1965-1966 school year, and to pledge as security for the payment of any sum or sums borrowed under this authorization the taxes levied upon the school districts for general operating expenses for the school year 1965-1966.

SECTION 4. All bills presented to the County Board of Directors shall be itemized.

SECTION 5. The purchase of any materials or supplies for any county officials or agents of Dorchester County in excess of one hundred dollars must be first approved by the County Board of Directors.

SECTION 6. Appropriations for State Aid to Teachers' Salaries, and all other school district, county and State appropriations for the operation of the public school system, shall cease and become inoperative for any school from which, and for any school to which, any pupil may transfer pursuant to, or in consequence of, an order of any court, for the time that the pupil shall attend a school other than the school to which he was assigned before the issuance of such court order.

SECTION 7. Magistrate at St. George shall also serve as custodian of the Courthouse, Office Building, Health Center and maintain Courthouse grounds at an additional salary of $2,400.00 per year.

SECTION 8. It shall be the further duty of the Road Supervisor to see that the grounds of the Courthouse and Dorchester County Hospital shall be cleaned at least once each month.

SECTION 9. This act shall take effect upon approval by the Governor.

Approved the 27th day of May, 1965.

(R601, H1858) **No. 590**

An Act To Authorize The Treasurer Of Dorchester County To Borrow Thirty-Three Thousand Dollars To Be Utilized For The Construction Of A New Building For The Berkeley-Charleston-Dorchester Technical Education Training Center.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Dorchester County may borrow money.—The Treasurer of Dorchester County is authorized to borrow thirty-three thousand dollars upon such terms as may be agreed upon between the treasurer and the lending institution. The money shall be used for the purpose of paying the county's portion of the expense of constructing a new building for the Berkeley-Charleston-Dorchester Technical Education Training Center.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R719, H1918) **No. 591**

An Act To Amend An Act Of 1965, Bearing Ratification No. 174, Relating To The Creation Of Watershed Conservation Districts In Dorchester County, So As To Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 7 of Act 584 of 1965 amended—question.—Section 7 of an Act of 1965, bearing Ratification No. 174, is amended by striking it and inserting:

"Section 7. The question to be voted on shall be submitted by ballots upon which appear the words:

'For creation of .....Watershed Conservation District'
'Against creation of .....Watershed Conservation District'

A square shall follow each proposition. The ballot shall contain a direction to insert an 'X' mark in the square following one or the other of the propositions as the voter may favor or oppose creation of the watershed conservation district. The ballot shall set forth the boundaries of the proposed watershed conservation district as determined by the supervisors of the soil conservation district. The qualified electors of the district shall be eligible to vote in the referendum. Qualified voters may vote by absentee ballot in the referendum under such rules and regulations as may be prescribed by the supervisors. No informalities in the conduct of the referendum or in any matters relating thereto shall invalidate the referendum or the result thereof if notice of the referendum shall have been given substantially as herein provided and the referendum shall have been fairly conducted."

SECTION 2. Section 9 (3) of Act 584 of 1965 amended—election—conduct of.—Section 9 (3) of an Act of 1965, bearing Ratification No. 174, is amended by striking it and inserting:

"(3) If the candidates nominated for directors of the watershed conservation district exceed the number of directors to be chosen, the supervisors of the soil conservation district shall, after having given due notice thereof, cause an election to be held within the watershed conservation district within a reasonable time after the expiration of the nominating period. The provisions of Sections 5, 6 and 7 of this act as to notice, qualifications of voters, absentee voting, and the manner of holding the referendum in organizing a watershed conservation district shall apply, insofar as practicable, to the election of the directors. The names of all qualified nominees shall be printed in alphabetical order upon ballots with a square before each name and a direction to insert an 'X' mark in the square before any five names to indicate the voter's preference. The qualified electors of the district shall be eligible to vote in the election. The five candidates who shall receive the largest number respectively of the votes cast in the election shall be the directors of the watershed conservation district and shall, upon the supervision of the supervisors of the soil conservation district, be the governing body of the watershed conservation district."

SECTION 3. Section 11 (2) of Act 584 of 1965 amended—bearing—referendum.—Section 11 (2) of an Act of 1965, bearing Ratification No. 174, is amended by striking it and inserting:

"(2) The supervisors shall hold a hearing on such proposal after having given due notice. If it appears that the proposal is within the

scope and purpose of this act and meets all other requirements of the law, the proposal shall be submitted to the qualified electors of the district by a referendum held by the supervisors."

SECTION 4. Section 18 (2) of Act 584 of 1965 amended—referendum.—Section 18 (2) of an Act of 1965, bearing Ratification No. 174, is amended by striking it and inserting:

"(2) Within sixty days after petition has been filed with the supervisors they shall give due notice of the holding of a referendum. The supervisors shall hold such referendum substantially as provided for in Section 11 of this act. The question shall be submitted by ballots upon which the words 'For terminating the existence of the ..... Watershed Conservation District' and 'Against terminating the existence of ..... Watershed Conservation District' shall be printed, with a square before each proposition and a direction to insert an 'X' mark in the square before one or the other of the propositions as the voter may favor or oppose the discontinuance of such watershed conservation district. The qualified electors of the watershed conservation district shall be eligible to vote in the referendum. No informality in the conduct of the referendum or in any matters relating thereto shall invalidate the referendum or the results thereof if notice of the referendum shall have been given substantially as herein provided and the referendum shall have been fairly conducted."

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of June, 1965.

(R338, H1548)

No. 592

An Act To Transfer The Sum Of Five Thousand Dollars From The General Fund Of Edgefield County To The Contingent Fund.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Edgefield County to transfer funds.—There is hereby transferred from the General Fund of Edgefield County to the Contingent Fund the sum of five thousand dollars.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of April, 1965.

(R551, H1716) **No. 593**

An Act To Provide For The Levy Of Taxes For Ordinary County Purposes In Edgefield County For The Fiscal Year Beginning July 1, 1965; To Provide For The Expenditure Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The following appropriations are hereby made for operation of Edgefield County for the year beginning July 1, 1965, and ending June 30, 1966:

Item 1.	Maintenance of chain gang, bridges, roads and buildings	$ 37,000.00
Item 2.	Clerk of Court's Office:	
(a)	Clerk of Court's salary	1,716.00
(b)	Deputy Clerk of Court's salary	2,700.00
Item 3.	Sheriff's Department:	
(a)	Sheriff's salary	$ 5,600.00
(b)	Clerical help for Sheriff	2,700.00
(c)	Two Deputy Sheriffs at $4,200.00 each	8,400.00
(d)	Uniform Allowance for Two Deputy Sheriffs at $200.00 each	400.00
(e)	Maintenance and automobile expense, radio repairs and upkeep for Sheriff's Department, if so much be necessary *Provided,* the Sheriff or Deputy Sheriffs shall serve warrants for the magistrates.	3,000.00
(f)	S. C. Police Officers Retirement System	960.00
Item 4.	Auditor (County's part):	
(a)	Auditor's salary	$ 1,452.00
(b)	Clerical help for Auditor	2,700.00
Item 5.	Treasurer (County's part):	
(a)	Treasurer's salary	$ 1,452.00
(b)	Clerical help for Treasurer	2,700.00
Item 6.	Supervisor's Office:	
(a)	Supervisor's salary	$ 3,907.20
(b)	Clerk to Board of County Commissioners	2,700.00
(c)	Two County Commissioners at $554.40 each	1,108.80
Item 7.	Attorney, salary *Provided,* the County Attorney shall represent the county in all matters without additional compensation.	$ 720.00

Item 8.	Tax Collector, salary	$ 3,168.00
	Travel expense for Tax Collector	600.00
	Clerical help to Tax Collector	660.00
Item 9.	Coroner, salary	$ 792.00
Item 10.	Judge of Probate's Office:	
	(a) Judge of Probate's salary	$ 1,716.00
	(b) Clerical help for Judge of Probate	2,700.00
Item 11.	Magistrates:	
	(a) Magistrate of First District	$ 2,310.00
	(b) Magistrate of Second District—Trenton	770.00
	(c) Magistrate of Third District—Johnston	1,232.00
	(d) Magistrate of Fifth District	704.00
	Provided, that no magistrate in Edgefield County shall receive his salary unless and until he shall have filed a statement with the County Treasurer showing all cases handled and the disposition thereof.	
Item 12.	Janitors:	
	(a) Janitor for Courthouse	$ 1,320.00
	(b) Janitors for Agricultural and Health Center Buildings	1,200.00
Item 13.	Post mortems, inquests and lunacy	$ 1,200.00
Item 14.	Telephone and telegraph	$ 2,200.00
Item 15.	Printing, postage and stationery	$ 2,500.00
Item 16.	Burial of county poor	$ 200.00
Item 17.	Premiums on bonds for County Officers	$ 1,000.00
Item 18.	Water, heat, lights and fuel for county buildings, including heat for the two National Guard Armories	$ 6,000.00
Item 19.	Welfare Department:	
	(a) Department of Public Welfare Board Members	$ 360.00
	(b) For aid to Class Four of Public Welfare State Appropriation for use in Edgefield County	500.00
	(c) Department of Public Welfare for emergency purposes	300.00
Item 20.	Dieting of prisoners in County Jail	$ 2,400.00
Item 21.	Boys' 4-H Club work	$ 100.00
Item 22.	Girls' 4-H Club work	$ 100.00
Item 23.	Farm Agent's Office:	
	(a) Contingent Fund for Farm Agent	$ 100.00
	(b) Demonstration supplies for County Home Agent	100.00

Item 24.	County Service Officer:	
	(a) County Service Officer's salary	$ 4,728.01
	(b) Clerk for Service Officer	2,700.00
	(c) Travel for Service Officer	720.00
Item 25.	Jailer, salary	$ 1,200.00
Item 26.	National Guard:	
	(a) Johnston National Guard	$ 600.00
	(b) Edgefield National Guard	600.00
Item 27.	Insurance on County buildings and premiums for insurance, County employees' workmen's compensation fund	$ 3,600.00
Item 28.	Social Security on County employees (County's part)	$ 2,600.00
Item 29.	Retirement on County employees (County's part)	$ 2,600.00
Item 30.	Publishing County statements in both County newspapers	$ 480.00
Item 31.	Repairing and maintaining County machines in various County offices	$ 300.00
Item 32.	Office equipment, office supplies, box rents and miscellaneous expenses	$ 2,000.00
Item 33.	Civil Defense	$ 3,000.00
Item 34.	(a) County Health Department (County's part)	$ 5,000.00
	(b) Hospital Charity Fund	3,500.00
Item 35.	Contingent Fund	$ 10,000.00
	To be expended upon written approval of the legislative delegation.	
Item 36.	Auditing the county affairs, 1965-1966	$ 600.00
Item 37.	Superintendent of Education, travel expense	$ 1,200.00
Item 38.	Farm Agents' Office:	
	(a) County Agent, travel expense	$ 720.00
	(b) Home Demonstration Agent, travel expense	300.00
Item 39.	Edgefield Dairy Breeders Association	$ 900.00
Item 40.	Forestry Board Members	$ 50.00
Item 41.	Mental Health	$ 3,710.77
Item 42.	Rural Library Service	$ 12,322.08
Item 43.	County Re-assessment Program	$ 19,500.00
	GRAND TOTAL	$196,258.86

SECTION 2. The board of county commissioners, subject to approval by the county legislative delegation, may divide the expenditures of such appropriations in monthly payments as nearly as practicable, and borrow money, if necessary in sufficient sums to meet the expenses of the year 1965-1966.

SECTION 3. The jailer of the county shall be appointed by the sheriff and shall serve at the pleasure of the sheriff; and shall receive one dollar and twenty-five cents per day for dieting each prisoner, to be paid out of the fund for dieting prisoners and jail.

SECTION 4. The court crier, jurors, jury boy and bailiffs shall receive ten dollars per day for each day's service in attendance upon court.

SECTION 5. In addition to the other costs and fees now allowed by law to the Probate Judge of Edgefield County for his services, he shall be entitled to the fees allowed him by law for issuing marriage licenses.

SECTION 6. No gasoline or oil purchased by the county shall be used by any officer except the county supervisor, who shall also have the use of a county-owned and maintained automobile. The gasoline, oil and automobiles are to be used exclusively for county purposes.

SECTION 7. All payments herein provided for shall be made direct to the person receiving same.

SECTION 8. No telephone shall be maintained by the county except with the written approval of the county supervisor and all long distance calls charged to county phones must be itemized and presented to the county supervisor's office before the bill will be paid.

SECTION 9. No office supplies, postage or stationery, or fuel for any county office shall be bought except through the county clerk of court who shall authorize all purchases, keeping an itemized statement of the same, for which office bought, and shall furnish a statement of items each month to the county board and shall authorize no purchase beyond the appropriation herein provided.

SECTION 10. No office equipment, furniture and fixtures shall be bought except upon the written approval of the county delegation.

SECTION 11. No property shall be rented for the use of the county, or any department thereof, except with the written permission of the county supervisor and at least one commissioner.

SECTION 12. All purchases for gang, roads, bridges, buildings and their maintenance, of any kind whatsoever, must be made by the supervisor personally, or on his written order; *provided,* that no item costing over one hundred dollars shall be bought by the supervisor without the written consent of at least one of the county commissioners. *Provided,* further, that all tires and supplies shall be bought in Edgefield County.

SECTION 13. No tractors, trucks, scrapes, or any kind of road machinery, can be purchased with county funds or sold without the written consent of the county legislative delegation.

SECTION 14. The fee that may be charged by the Clerk of Court of Edgefield County for the recording, filing, indexing or registering any mortgage or other instrument conveying an interest in, or creating a lien on crops growing or to be grown or personal property and made to any corporation organized under the Acts of Congress, known as the Farm Credit Act of 1933, as and if amended, a Regional Agricultural Credit Corporation, a Federal Intermediate Credit Bank, or any other corporation which rediscounts notes or other obligations with or procures loans from a Federal Intermediate Credit Bank, the Reconstruction Finance Corporation or the Government of the United States or any department, agency, instrumentality or office thereof, shall be one dollar; and a copy or duplicate of such instrument shall be furnished to the recording officer. The fee that may be charged by the clerk of court for search and a certificate or priority liens on crops for each loan shall be fifty cents; *provided,* that Edgefield County is specifically excepted from the provisions of Section 27-61 of the 1962 Code.

The fee for recording a deed to real estate when the number of words does not exceed one thousand shall be one dollar and fifty cents, and when the number of words exceeds one thousand it shall be at the rate of fifteen cents per hundred words. *Provided,* further, that the fee for recording a chattel mortgage under one hundred dollars shall be one dollar.

SECTION 15. The county legislative delegation shall have the right at any time to alter any of the salaries or appropriations herein; *provided,* the alteration shall be in the form of a letter addressed to the proper authorities and signed by both members of the delegation.

SECTION 16. The amounts provided for herein for the several purposes shall be expended for the purpose stated and none other and any

unexpended balance on hand at the expiration of the period herein provided for shall revert to the general funds of the county. No county funds shall be expended for any purpose unless such expenditure is specifically authorized by the provisions of this act, or by the written authorization of the members of the Edgefield County Delegation. No additional employees shall be hired by the county without approval of the legislative delegation.

SECTION 17. In the event it should be determined by the proper authorities that the amount herein appropriated for any purpose is insufficient, then the supervisor is directed to notify the legislative delegation and the legislative delegation shall have the authority to transfer sufficient funds to take care of same, and the legislative delegation shall have the authority to transfer from the county surplus funds, or any other fund, such sum as in the opinion of the legislative delegation may be in the best interest of the county.

SECTION 18. All funds received from the State Forestry Commission shall be placed by the Treasurer of Edgefield County to the credit of the general funds of the county.

SECTION 19. Each and every claim drawn against the county and to be paid under the provisions of this act shall be marked as to what fund or account it is to be paid and charged against, and the records of the supervisor's and the superintendent of education's office shall be set up by having a separate and distinct page for each item and account contained herein.

SECTION 20. The miscellaneous account herein set up shall be spent only upon the written approval of the county legislative delegation.

SECTION 21. The allotment of office space in the courthouse to various officers and departments shall be made by the clerk of court who shall have complete charge of the courthouse.

SECTION 22. All funds not herein specifically appropriated or designated for some special purpose which may now be in the hands of the treasurer, or may hereafter come into the hands of the treasurer, shall be placed in the general funds of the county.

SECTION 23. All officers and employees of Edgefield County shall be entitled to those holidays set forth in Sections 64-151 and 64-152 of the 1962 Code. *Provided,* any employee with ten years service shall

be entitled to two weeks vacation each year. *Provided,* further, that any employee with twenty years or more service shall be entitled to three weeks.

SECTION 24. All monies accruing to the county from beer, wine and whiskey licenses and taxes shall be placed to the credit of ordinary county fund.

SECTION 25. No county-owned automobile or truck shall be used for any purpose other than county business.

SECTION 26. County offices shall remain open from nine until five o'clock Monday through Friday of each week and on Saturday shall remain open from nine until twelve o'clock, except for the office of the county superintendent of education, which office shall remain open from eight to four o'clock Monday through Friday of each week and on Saturday shall remain open from eight to twelve o'clock.

SECTION 27. Any new clerk employed by any county officer, the starting salary will not exceed two thousand four hundred dollars.

SECTION 28. This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R79, H1213) **No. 594**

An Act To Authorize The Fairfield Memorial Hospital Board In Fairfield County To Borrow One Hundred Thousand Dollars To Be Used For Hospital Purposes And To Provide For The Payment Thereof.

Whereas, a favorable vote was had on the question of increasing the taxes by two mills in Fairfield County for the purposes of air conditioning the Fairfield Memorial Hospital and adding facilities thereto for twenty-two beds as provided for by Act No. 1222 of the Acts of 1964. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Fairfield Memorial Hospital may borrow money.— The Fairfield Memorial Hospital Board of Fairfield County is authorized to borrow from any bank in the county a sum not to exceed

one hundred thousand dollars under such terms and conditions as may be agreed upon; *provided,* such agreement shall contain provisions that the amount so borrowed shall be repaid in not more than ten years and that the board may anticipate the balance on any anniversary date or may reduce the balance over and above the regular payment on such date in multiples of one thousand dollars.

The funds so borrowed shall be used for the purposes of air conditioning the Fairfield Memorial Hospital and adding facilities thereto for twenty-two beds.

SECTION 2. Payment.—The auditor and treasurer of the county shall respectively levy and collect an additional tax of two mills in the same manner as other taxes are levied and collected. The revenue from this levy shall be deposited to the Fairfield Memorial Hospital Fund. The revenue derived from this tax shall be used for the sole purpose of paying the loan provided for in Section 1 and the interest thereon. The full faith, credit and taxing power of the county is pledged to the payment of the loan and the interest thereon.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of February, 1965.

(R143, H1288) **No. 595**

An Act To Extend The Season For Hunting Rabbits And Squirrels In Fairfield County To March 1, 1965.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Rabbit and squirrel Season for Fairfield County.—Notwithstanding any other provisions of law the season for hunting rabbits and squirrels in Fairfield County is extended to March 1, 1965 only.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 5th day of March, 1965.

(R205, H1322) **No. 596**

An Act Providing For The Creation Of Watershed Conservation Districts In Fairfield County, And The Election Of Directors Of Watershed Conservation Districts And Their Powers And Duties; And Providing For A Levy Of Taxes For The Organization And Administration Of Such Districts, And For The Construction, Operation And Maintenance Of Works Of Improvement Within Such Districts.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Definitions.—Whenever used or referred to in this act, unless a different meaning clearly appears from the context:

(1) "Watershed conservation district" means a governmental subdivision of this State, and a public body corporate and politic, organized in accordance with the provisions of this act, for the purposes, with the powers, and subject to the restrictions hereinafter set forth.

(2) "Director" means one of the members of the governing body of a watershed conservation district, elected in accordance with the provisions of this act.

(3) "Supervisor" means one of the members of the governing body of the Fairfield Soil Conservation District in which any part of a watershed conservation district is situated.

(4) "Petition" means a petition filed under the provisions of Section 4 of this act for the creation of a watershed conservation district.

(5) "County" means Fairfield County of South Carolina.

(6) "Landowner" or "owner of land" includes any person, firm or corporation who shall hold legal or equitable title to any lands lying within a watershed conservation district organized under the provisions of this act.

(7) "Due notice" means notice published at least twice, with an interval of at least one week between the two publication dates, in a publication of general circulation within the appropriate area, or, if no such publication of general circulation be available, notice posted at a reasonable number of conspicuous places within the appropriate area, such posting to include, where possible, posting at public places where it is customary to post notices concerning county or municipal affairs generally.

SECTION 2. Watershed Conservation Districts may be formed in Fairfield County.—Authority is hereby granted to form watershed

conservation districts within Fairfield County for the purpose of developing and executing plans and programs relating to any phase of the control and prevention of soil erosion, flood prevention, or the conservation, development, utilization, and disposal of water.

SECTION 3. Area.—The area embraced in a watershed conservation district must be contiguous and must lie within a well-defined watershed; and such area shall not include lands located within the boundary of any incorporated city or town, or lands embraced in another watershed conservation district.

SECTION 4. Petition for formation.—When twenty-five or more landowners within a proposed watershed conservation district, or, if less than fifty landowners are involved, a majority of such landowners, desire to form a watershed conservation district, they shall file a petition with the supervisors of the soil conservation district asking that a watershed conservation district be organized to function in the area described in the petition. Such petition shall set forth the proposed name of the watershed conservation district; that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory described in the petition; a description of the territory proposed to be organized as a watershed conservation district, which description need not be given by metes and bounds or by legal subdivisions, but shall be deemed sufficient if generally accurate; and the approximate number of acres of land included in the proposed watershed conservation district.

SECTION 5. Hearing on petition.—(1) Within thirty days after such petition has been filed with the supervisors of the soil conservation district, they shall cause due notice to be given of a hearing upon the question of the desirability and necessity, in the interest of the public health, safety, and welfare, of the creation of such watershed conservation district. All interested parties shall have the right to attend such hearing and to be heard. If it shall appear at the hearing that other lands should be included in the petition or that lands included in the petition should be excluded, the supervisors shall permit such inclusion or exclusion, provided the land area involved still meets the requirements of Section 3 of this act.

(2) If it appears upon the hearing that it may be desirable to include within the proposed watershed conservation district territory outside of the area within which due notice of the hearing has been given, the hearing shall be adjourned and due notice of a further

hearing shall be given throughout the entire area considered for inclusion in the proposed watershed conservation district, and such further hearing shall be held. After final hearing, if the supervisors of the soil conservation district determine, upon the facts presented at the hearing and upon other available information, that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory considered at the hearing, they shall make and record such determination, and shall define the area, but the description need not be given by metes and bounds. The description shall be deemed sufficient if generally accurate and the approximate number of acres of land included in the proposed watershed conservation district is shown.

(3) If the supervisors of the soil conservation district determine after such hearing that there is no need for a watershed conservation district to function in the territory considered at the hearing, they shall make and record such determination and shall deny the petition.

SECTION 6. Referendum.—After the supervisors of the soil conservation district have made and recorded a determination that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory considered at the hearing, and have defined the boundaries thereof, they shall consider the question whether the operation of a watershed conservation district within the proposed boundaries with the powers conferred upon it by this act is administratively practicable and feasible. To assist the supervisors in making this determination, they shall, within a reasonable time after the entry of a finding that there is need for the organization of a watershed conservation district and the determination of the boundaries thereof, hold a referendum within the proposed watershed conservation district upon the proposition of the creation of the watershed conservation district. Due notice of the referendum shall be given by the supervisors. Such notice shall state the date of holding the referendum, the hours of opening and closing the polls, and shall designate one or more places within the proposed watershed conservation district as polling places and shall give notice that the directors shall have the power of eminent domain. The supervisors shall have full charge of the referendum and shall have suitable ballots printed and furnished to each polling place; appoint necessary box managers and other referendum officials, and shall canvass the ballots and announce the results. The cost of holding the referendum shall be paid from the general fund of Fairfield County.

Provided, that notwithstanding any provision of law to the contrary the power of eminent domain shall not be exercised over the protest of any landowner until it is conclusively established that the land proposed to be condemned is absolutely essential to the creation and operation of the watershed conservation district.

SECTION 7. Question.—The question to be voted on shall be submitted by ballots upon which appear the words:

"For creation of ..... Watershed Conservation District"

"Against creation of ..... Watershed Conservation District"

A square shall follow each proposition. The ballot shall contain a direction to insert an "X" mark in the square following one or the other of the propositions as the voter may favor or oppose creation of the watershed conservation district. The ballot shall set forth the boundaries of the proposed watershed conservation district as determined by the supervisors of the soil conservation district. No one except owners of lands lying within the boundaries of the proposed watershed conservation district, as determined by the supervisors of the soil conservation district, shall be eligible to vote in the referendum. Qualified voters may vote by absentee ballot in the referendum under such rules and regulations as may be prescribed by the supervisors. No informalities in the conduct of the referendum or in any matters relating thereto shall invalidate the referendum or the result thereof if notice of the referendum shall have been given substantially as herein provided and the referendum shall have been fairly conducted.

SECTION 8. Results—district to be created if results and determination favorable.—The votes shall be counted by the referendum officials at the close of the polls and a report of the results along with the ballots shall be delivered and certified to the supervisors of the soil conservation district; and thereafter the supervisors shall determine whether the operation of the watershed conservation district within the defined boundaries is administratively practicable and feasible. If the supervisors determine that the operation of such district is not administratively practicable and feasible, they shall record such determination and deny the petition. If the supervisors determine that the operation of such district is administratively practicable and feasible, they shall record such determination and shall proceed with the organization of such district in the manner hereinafter set forth; *provided,* however, that the supervisors shall not have authority to

determine that the operation of such district is administratively practicable and feasible unless at least a majority of the votes cast in the referendum upon the proposition of the creation of such district shall have been cast in favor of the creation of such district. If the supervisors shall determine that the operation of such district is administratively practicable and feasible, they shall certify such determination to the Clerk of Court of Fairfield County, the Code Commissioner and to the Secretary of State. Upon proper recordation of such determination, such watershed conservation district shall constitute a governmental subdivision of this State and a public body corporate and politic. After being recorded, such certification shall be filed with the State Soil Conservation Committee.

SECTION 9. Board of directors to govern district—nominating petitions—election—ballots—terms—officers—bond of treasurer. —(1) The governing body of the watershed conservation district shall consist of five directors, elected as provided herein.

(2) Within thirty days after a watershed conservation district has been created, nominating petitions may be filed with the supervisors of the soil conservation district to nominate candidates for directors of the watershed conservation district. No such nominating petition shall be accepted by the supervisors unless it is signed by twenty-five or more landowners within the watershed conservation district, or, if less than fifty landowners are involved, by a majority of such landowners. If the candidates nominated do not exceed the number of directors to be chosen, the supervisors shall declare them to be elected. No person shall be eligible to be a director of a watershed conservation district who is not a landowner in the watershed conservation district in which he seeks election.

(3) If the candidates nominated for directors of the watershed conservation district exceed the number of directors to be chosen, the supervisors of the soil conservation district shall, after having given due notice thereof, cause an election to be held within the watershed conservation district within a reasonable time after the expiration of the nominating period. The provisions of Sections 5, 6 and 7 of this act as to notice, qualifications of voters, absentee voting, and the manner of holding the referendum in organizing a watershed conservation district, shall apply insofar as practicable to the election of the directors. The names of all qualified nominees shall be printed in alphabetical order upon ballots with a square before each name

and a direction to insert an "X" mark in the square before any five names to indicate the voter's preference. Only landowners within the watershed conservation district shall be eligible to vote in the election. The five candidates who shall receive the largest number respectively of the votes cast in the election shall be the directors of the watershed conservation district, and shall, upon the supervision of the supervisors of the soil conservation district, be the governing body of the watershed conservation district.

(4) Of the directors first elected, the two receiving the largest number of votes shall serve for terms of four years, the two receiving the next largest number of votes shall serve for terms of three years, and the one receiving the next largest number of votes shall serve for a term of two years. The term of office of each of their successors shall be for four years. Any vacancy shall be filled for the unexpired term as provided to original directors.

(5) The directors shall annually designate from among their number a chairman, secretary, and treasurer. The treasurer shall execute an official bond for the faithful performance of the duties of his office, to be approved by the directors. Such bond shall be executed by a surety company authorized to do business in this State and shall be in an amount determined by the directors. The premium on each bond shall be paid by the watershed conservation district.

SECTION 10. District to be corporate body—powers and duties.—A watershed conservation district organized under the provisions of this act shall constitute a governmental subdivision of this State, and a public body corporate and politic, exercising public powers, and such district and the directors thereof shall, subject to the approval of the supervisors of the soil conservation district, have the following powers, in addition to others granted in other sections of this act:

(1) To acquire, by purchase, exchange, lease, gift, grant, bequest, devise, or otherwise, or through condemnation proceedings in the manner provided in Sections 25-101 through 25-140 and Sections 33-121 through 33-148, Code of Laws of South Carolina, 1962, such lands, easements, or rights-of-way as are needed to carry out any authorized purpose of the watershed conservation district; and to sell, lease, or otherwise dispose of any of its property or interests therein in furtherance of the purposes and provisions of this act;

(2) To construct, reconstruct, repair, enlarge, improve, operate, and maintain such works of improvement as may be necessary or

convenient for the performance of any of the operations authorized by this act;

(3) To borrow money and to execute promissory notes and other evidences of debt in connection therewith for payment of the costs and expenses of organizing the watershed conservation district for carrying out any authorized purpose of such district, and if promissory notes are issued, to execute such mortgages on any property owned by such district, or assign or pledge such revenues or assessments of such district as may be required by the lender as security for the repayment of the loan; and to issue, negotiate, and sell its bonds as provided in Section 11 of this act;

(4) To levy an annual tax on the real property within the district subject to the limitations provided in Section 13 of this act for payment of the costs and expenses of organizing the watershed conservation district or for carrying out any authorized purpose of such district. Such levy shall be made only after approval by the supervisors of the soil conservation district and the county legislative delegation and upon notifying the county auditor.

SECTION 11. Bonds not to be issued unless referendum held.—(1) Bonds authorized by Section 10 of this act shall not be issued until proposed by order or resolution of the directors of the watershed conservation district, specifying the purpose for which the funds are to be used and the proposed undertaking, the amount of bonds to be issued, the rate of interest they are to bear, and the amount of any necessary tax levy in excess of the maximum authorized in Section 13 of this act. A copy of the order or resolution shall be certified to the supervisors of the soil conservation district.

(2) The supervisors shall hold a hearing on such proposal after having given due notice. If it appears that the proposal is within the scope and purpose of this act and meets all other requirements of the law, the proposal shall be submitted to the landowners of the district by a referendum held by the supervisors.

(3) The provisions of Sections 5, 6 and 7 of this act as to notice, qualifications of voters, absentee voting, and manner of holding the referendum in organizing a watershed conservation district shall apply to the referendum held under this section.

(4) If two-thirds of the votes cast in such referendum favor the proposal, the directors shall, with the approval of the supervisors, be authorized to issue such bonds.

SECTION 12. Compensation.—The directors of the watershed conservation district shall receive no compensation for their services, but they may be reimbursed for expenses, including traveling expenses, necessarily incurred in the performance of their duties as approved by the supervisors of the soil conservation district.

SECTION 13. Budget—tax levy.—Within the first quarter of each calendar year, the directors of the watershed conservation district shall prepare an itemized budget of the funds needed for administration of the watershed conservation district and for construction, operation and maintenance of works of improvement. After approval of such budget by the supervisors of the soil conservation district, the county auditor shall levy a tax sufficient to meet such budget on all real property within the watershed conservation district of not to exceed five mills on each dollar of assessed valuation, except that this limitation shall not apply to any levy necessary to provide a sinking fund for the retirement of bonds authorized by Section 11 of this act. A copy of such budget shall be certified to the Auditor of Fairfield County.

SECTION 14. List of landowners and acres subject to assessment.—(1) The directors of the watershed conservation district with the assistance of the county auditor shall prepare a list of the landowners involved showing the number of acres subject to assessment.

(2) When the property tax rolls are delivered to the county treasurer by the county auditor, as required by law, the county treasurer shall compute the tax due the watershed conservation district from each landowner in accordance with the rate fixed by the directors and the value of the real property indicated on the tax roll. The computation shall be made on the regular tax bills.

SECTION 15. Collection of taxes.—(1) The county treasurer shall collect the tax due the watershed conservation district at the same time and in the same manner as he collects other taxes of the county.

(2) The taxes shall be subject to the same due and delinquency dates, discounts, penalties and interest as are applied to the collection of county taxes.

SECTION 16. Expenditures.—Tax funds collected shall be transferred to and held by the treasurer of the watershed conservation district for the specific purpose for which they have been collected. All

expenditures of such funds shall be made by the directors of the watershed conservation district with the approval of the supervisors of the soil conservation district.

SECTION 17. Petition to have lands detached.—The owners of lands which have not been, are not and cannot be benefited by their inclusion in the watershed conservation district may petition the supervisors of the soil conservation district to have such lands detached. The petition shall describe such lands and state the reasons why they should be detached. A hearing shall be held by the supervisors within thirty days after the petition is filed and due notice of such hearing shall be given by the supervisors. If it is determined by the supervisors that such lands shall be detached, such determination shall be certified to the Auditor of Fairfield County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee.

SECTION 18. Petition for discontinuance of district—hearing—referendum—discontinuance if election and determination favorable.—(1) At any time after five years after the organization of a watershed conservation district, twenty-five or more landowners within such district, or if less than fifty landowners are involved, a majority of such landowners, may file a petition with the supervisors of the soil conservation district asking that the existence of the watershed conservation district be discontinued. The petition shall state the reasons for discontinuance, and that all obligations of the watershed conservation district have been met. The supervisors may conduct such hearings upon the petition as may be necessary to assist them in the consideration thereof.

(2) Within sixty days after petition has been filed with the supervisors they shall give due notice of the holding of a referendum. The supervisors shall hold such referendum substantially as provided for in Section 11 of this act. The question shall be submitted by ballots upon which the words "For terminating the existence of the ..... Watershed Conservation District" and "Against terminating the existence of the ..... Watershed Conservation District" shall be printed, with a square before each proposition and a direction to insert an "X" mark in the square before one or the other of the propositions as the voter may favor or oppose the discontinuance of such watershed conservation district. Only landowners within the watershed conservation district shall be eligible to vote in such

referendum. No informality in the conduct of the referendum or in any matters relating thereto shall invalidate the referendum or the results thereof if notice of the referendum shall have been given substantially as herein provided and the referendum shall have been fairly conducted.

(3) The supervisors shall publish the results of the referendum and shall thereafter determine whether the continued operation of the watershed conservation district is administratively practicable and feasible. If the supervisors determine that the continued operation of the watershed conservation district is administratively practicable and feasible, they shall record such determination and deny the petition. If the supervisors determine that the continued operation of the watershed conservation district is not administratively practicable and feasible, they shall record such determination and shall certify such determination to the directors of the watershed conservation district; *provided,* however, that the supervisors shall not be authorized to determine that the continued operation of the watershed conservation district is administratively practicable and feasible unless at least a majority of the votes cast in the referendum shall have been cast in favor of the continuance of the watershed conservation district.

(4) Upon receipt from the supervisors of a certification that they have determined that the continued operation of the watershed conservation district is not administratively practicable and feasible, the directors shall forthwith proceed to terminate the affairs of the watershed conservation district. A copy of the determination shall be certified to the Auditor of Fairfield County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee.

SECTION 19. Supervisory authority if district discontinued.—If the Fairfield Soil Conservation District is discontinued, all supervisory authority over the affairs of the watershed conservation district which was previously exercised by the supervisors shall thereafter be exercised by the governing body of Fairfield County.

SECTION 20. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of March, 1965.

(R565, H1830) **No. 597**

An Act To Remove A Portion Of Road S-20-301 In Fairfield County From The State Highway System, And To Provide For Its Closing.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Portion of road in Fairfield County may be closed.—That portion of Road S-20-301, Dunn Street, in the Town of Winnsboro, Fairfield County, between the intersections of this road with Road S-20-195 and Road S-20-290, is hereby removed from the State Highway System and is declared to be closed to the traveling public.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R653, H1899) **No. 598**

An Act To Authorize The Governing Body Of Fairfield County To Borrow Forty Thousand Dollars For Improvements To The Courthouse And To Provide For The Payment Of The Loan.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Fairfield County may borrow money.—The governing body of Fairfield County is authorized to borrow forty thousand dollars from the Division of General Services of the State Budget and Control Board for improvements to the courthouse. The indebtedness shall be evidenced by a note signed by the chairman after resolution passed by a majority of the members. The note shall be payable in five equal, annual installments with interest thereon not to exceed four per cent per annum.

Should there be default in any payment the State Treasurer shall withhold any funds accruing to the county and transmit them to the Division of General Services.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R724, H1788)

No. 599

An Act To Provide For The Levy Of Taxes For Ordinary County Purposes And For Support Of The County Stockade For Fairfield County For The Fiscal Year Beginning July 1, 1965, And Ending June 30, 1966, And For The Expenditure Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. A tax of twelve mills, if so much be necessary, is levied upon all the taxable property in Fairfield County for the fiscal year beginning July 1, 1965, and ending June 30, 1966, which, together with the other county income, shall be used to pay the expenses of operating the county as provided herein. All county property must be marked as property of Fairfield County.

SECTION 1-A. The auditor is directed to levy, and the treasurer to collect, a tax of one mill on all taxable property in Fairfield County to be credited to the Fairfield Memorial Hospital operating fund. This is to be in addition to the levy that might be directed by the Hospital Board.

Item 1. Roads and Bridges ..... $ 70,000.00

Provided, that all goods and supplies purchased by the board of county commissioners for the county must not be bought other than by competitive bids and, further, that all equipment and supplies exceeding $400.00 shall be advertised in the newspaper published in the county. *Provided,* however, in cases of emergency where repair parts are necessary to restore county-owned motor vehicles and road machinery to operation, such parts may be purchased by the board of county commissioners or the supervisor without first obtaining such bid or bids. *Provided,* further, that no road machinery or equipment shall be purchased or disposed of without the written consent of the legislative delegation. *Provided,* further, that under the direction of the Board of County Commissioners of Fairfield County, the county supervisor shall devote his entire time to the construction, maintenance and repairs of the roads and bridges of the county.

Provided, further, that all county road machinery and county trucks and motor vehicles shall be plainly marked with letters of substantial size on both sides of the vehicles as follows "Property of Fairfield County."

Provided, further, that no more than one-half of the above amount may be expended or obligated to be spent prior to January 1, 1966.

Item 2. Salaries:

Clerk of Court	$ 2,283.00
For use by clerk of court in keeping courthouse yards and grounds	50.00

The clerk of court shall be the custodian of the yards and grounds of the courthouse and is charged with the duty of keeping same properly planted and landscaped. He may call upon the supervisor for labor and assistance in this work when deemed necessary.

Clerk hire for Court	700.00
Sheriff	5,680.00

Provided, that the sheriff shall be the custodian of gas, oil, tires and equipment purchased by the county, including automobiles which shall be purchased for use of sheriff's office and rural police. The jailer shall be the dispenser of the supplies and shall keep records of the supplies and materials dispensed, so as to indicate mileage, dates and amounts, and the jailer shall perform these duties under the direction of the sheriff.

Jailers	4,939.00

Provided, the sheriff shall designate the number of jailers, their hours and compensation.

Uniforms for Jailer (1/12) monthly)	300.00

Provided, that the insignia of the office shall be affixed upon such uniforms.

Provided, further, that the Jailer shall be a competent, able-bodied person and fully capable of performing the duties of his office.

Provided, further, that the Jailer shall furnish the usual surety bond required of other county police officers.

Provided, further, that the Jailer shall be a person qualified to operate the station radio and keep adequate and proper records concerning operation of radio and the dispensing of supplies and materials to county officers' vehicles.

Clerk to Sheriff	3,175.00

Provided, that the clerk shall operate the base radio in conjunction with the Jailer during office hours, in addition to his other duties.

The County Board of Commissioners, for operation of the tax collector's office and for the payment of salaries, current expenses and such stenographic or clerical hire as the commission may deem necessary, with the clerk to receive not less than $50.00 per week 6,300.00

Travel for Tax Collector	800.00
Deputy to Clerk of Court	3,271.00
Clerk to Clerk of Court	2,520.00
Clerk to Judge of Probate	1,323.00
Deputy Sheriffs, 3 @ $4,785.00 each	14,355.00
Chief Deputy Sheriff	4,885.00

Provided, that one of the deputies shall be stationed at and shall have his primary duties at the Winnsboro Mills Village community, and such deputy shall be assigned a county-owned police car.

Rural Police, 2 @ $4,785.00 each	9,570.00
Uniforms for Deputies and Rural Police, to be purchased by Rural Police Commission, not to exceed	1,200.00
Auditor—to receive a portion of his salary from State Funds	1,575.00
Travel for Auditor	250.00
Auditor—Clerk Hire	3,271.00

Provided, clerk to auditor shall be full time.

Treasurer—to receive a portion of his salary from State Funds	1,575.00

	Travel for Treasurer	250.00
	Clerk to Treasurer	2,566.00
	Attorney	682.00
	Coroner	1,365.00
	Travel for Coroner	150.00
	Supervisor	4,013.00
	Clerk—Board of County Commissioners	3,706.00
	Clerical Assistance to Clerk of County Board	661.00
	Travel expenses for Clerk of Board of County Commissioners	300.00
	Clerk for additional work with Retirement Records, Social Security and Hospitalization Insurance	819.00
	Stenographer to County Agent	590.00
	Stenographer to Home Demonstration Agent	100.00
	Judge of Probate	2,670.00
	Secretary to Delegation	661.00
	County Forest Ranger—Fire Protection—three months' salary for Tractor operator	569.22
	Travel for Forest Wardens and Tractor operator	2,100.00
	Provided, that each will receive $35.00 per month for travel.	
Item 3.	Expenses of County Officers:	
	Supervisor's car and travel expense	$ 1,350.00
	The School Lunch Supervisor and Attendance Teachers shall be under the supervision and control of the Board of Education.	
	County Board of Commissioners	3,113.00
	Travel for Board of Commissioners—$5.00 per month	300.00
	Provided, that the Chairman of the Board of Commissioners shall receive seven hundred forty-one dollars per year, and each commissioner five hundred ninety-three dollars per year.	
Item 4.	Insurance Fund	$ 4,000.00
	The above amount shall be appropriated from the General Fund of Fairfield County and transferred to an account designated as "Insurance	

Fund" to be held by the county treasurer. The county treasurer is directed to maintain this fund in a separate account and add to it at the end of each fiscal year any unexpended balance under this item remaining at that time. The county treasurer, upon the approval of the county attorney, is authorized to invest this fund in securities which are approved under the law of this State for investment of trust funds or funds held by fiduciaries. This fund shall be held to satisfy legal claims against Fairfield County arising out of or through liability incurred by Fairfield County resulting from the operation of Fairfield County-controlled motor vehicles. The Fairfield County Board of Commissioners is hereby authorized to pay all liability claims incurred by Fairfield County, when approved first by the county attorney, or to satisfy a judgment rendered by a court of competent jurisdiction against Fairfield County arising out of the operation of Fairfield County-owned motor vehicles. A full accident report shall be made immediately to the county attorney and the County Board of Commissioners by the head of every department or county official whenever any motor vehicle under county control, operated by his department, shall be involved in an accident involving any personal injury or damage to property.

Provided, that the treasurer shall be and is authorized to borrow from this fund to meet general county expenses pending the collection of taxes, and after the collection of taxes, if such money is needed.

Item 5. County Health Unit ..... $ 7,285.00

Provided, that $500.00 of this amount shall be used for the purpose of treating arrested T. B. patients.

Provided, further, that two nurses and the Sanitarian will receive $90.00 per month for travel from the above appropriation.

Item 6.	Magistrates	$ 8,367.00
	Eight Constables for Magistrates—$200.00 each	1,600.00
	Extra Constables for work with sheriff's office at his request	1,000.00
Item 7	County Boards:	
	Board of Equalization	$ 700.00
Item 8.	Jail Expenses	$ 4,000.00
Item 9.	Jurors and Witnesses and Court Expenses	$ 4,500.00
	Court crier shall receive $8.00 per day.	
	Provided, that jurors shall receive $7.50 per day.	
Item 10.	Post Mortems, Inquests and Lunacies	$ 700.00
	Provided, that inquests shall be held upon a written request of three reputable citizens and the request shall be filed with the coroner, or if in the judgment of the coroner an inquest is justified or needed.	
	Provided, that coroner's jurors shall receive $1.00 per day.	
Item 11.	Public Buildings, including water, fuel, lights and insurance	$ 13,800.00
	Workmen's Compensation premium shall be paid from this appropriation.	
	Provided, that up to $300.00 of this amount shall be used by the Clerk of Court to purchase the necessary equipment and supplies for the maintenance of the courthouse.	
Item 12.	Printing, Postage and Stationery	$ 3,000.00
	Provided, printing, postage and stationery for the Board of Education and school use shall be paid for by the Board of Education out of the board's funds.	
Item 13.	Farm and Home Demonstration	$ 500.00
	Clerical Help	600.00
	County 4-H Club Work	500.00
Item 14.	Home Demonstration Work	$ 500.00
Item 15.	Janitor for Courthouse	$ 1,200.00
	The janitor shall be hired by and shall be under the supervision and control of the Clerk of Court (caretaker of the courthouse).	

Item 16. Janitor for County Library .....$ 375.00

Item 17. Future Farmers of America, Livestock Show $ 350.00

Item 18. Armory Maintenance .....$ 800.00

Item 19. For supplies and maintenance of county-owned vehicles used in law enforcement .....$ 5,000.00
Provided, the above sum shall be paid upon approval of the sheriff. The County Rural Police Commission shall secure bids by public notice and shall be responsible for purchasing such supplies and equipment.

Item 20. Board of Public Welfare .....$ 1,000.00
Provided, that this sum shall be paid to the Director of the Board of Public Welfare for use in extreme emergencies, and for indigent cases involving out-of-county hospitalization and medicines and paupers' burial.

Item 20-A. The County Board of Public Welfare is hereby authorized and directed to extend the following appropriation for supplemental salaries for the director and employees of the Welfare Department .....$ 3,125.00

Item 20-B. Members of the Board of Public Welfare for Fairfield County shall receive $18.33 per meeting, to be divided equally among those board members present .....$ 220.00

Item 21. Rural Police Commission .....$ 75.00
Provided, that each commissioner who shall attend a regular meeting of the commission, or a special meeting of the commission, shall receive $5.00 for such attendance. The appropriation set forth above shall be solely for the $5.00 attendance and paid only to those members in attendance at such meeting.

Item 22. Magistrate jurors ($1.00 per day) .....$ 200.00

Item 23. Fairfield Chamber of Commerce .....$ 1,500.00
Provided, the sum herein appropriated shall be used for advertising of Fairfield County and the solicitation of industry to locate in Fairfield County, and for research, planning and development of the county.

Item 24.	Service Officer's Office:	
	$4,298.00 of the appropriation hereinbelow provided for shall be paid by the State and the remainder from County funds.	
	Service Officer—Salary	$ 3,485.00
	Mileage	1,000.00
	Clerk to Service Officer	2,378.00
	Total for Office	$ 6,863.00
	The expenses of this office, other than travel and salaries, shall be paid out of Item 11.	
	Appropriation from County Funds for above	$ 2,565.00
Item 25.	Hospitalization Insurance—County employees	$ 4,000.00
Item 26.	County Agent, Salary Supplement	$ 180.00
	Assistant County Agent, Salary Supplement	180.00
Item 27.	For costs and investigation to encourage new industry for the county, to be expended upon the approval of the entire delegation	$ 1,000.00
Item 28.	Civil Defense Office:	
	$2,377.00 of the appropriation hereinbelow provided shall be paid by the State and the remainder from County Funds.	
	Civil Defense Officer—Salary	$ 3,704.00
	Secretarial help and office supplies	1,050.00
	Total	$ 4,754.00
	Appropriation from County Funds for above	$ 2,422.00
Item 29.	Fairfield County Recreation Association	$ 3,000.00
	Provided, the amount appropriated in this item is to be expended only after a monthly budget is submitted by the Recreation Association and approved by a majority of the Legislative Delegation.	
	GRAND TOTAL	$242,231.22

SECTION 1-B. A tax of two mills is levied upon all the taxable property in the County of Fairfield for the fiscal year beginning July 1, 1965, and ending June 30, 1966, to be collected and paid over to the Fairfield County Board of Education to be applied to the retirement of bonded debt. It is further provided that an

additional six mills is levied upon all the taxable property for the operation of schools for the fiscal year beginning July 1, 1965, and ending June 30, 1966.

SECTION 2. So much of the amount hereinabove appropriated for the County Health Unit under Item 5 shall be expended as may be necessary to meet the requirements established under the State Appropriations Act for Health Department work. This fund shall be expended under the following provisions: *Provided,* that the physician to be employed shall be a graduate of a regular medical college and skilled in hygiene and sanitary science; the physician shall be designated County Health Officer, and shall perform all such duties as may be imposed upon him by the sanitary laws of the State and shall discharge all the duties of County Physician; and that a trained public nurse shall be employed who shall devote her whole time to public works in Fairfield County, and such other workers as may be found necessary and desirable to properly carry out a public health program; *provided,* however, that as far as possible a medical inspection of all school children in Fairfield County shall be made by the physician in charge and that all trustees and principals shall give every assistance in carrying out this program; *provided,* further, that this appropriation is contingent upon the full compliance with this section.

SECTION 3. The salaries of the magistrates in the various districts for the fiscal year beginning July 1, 1965, and ending June 30, 1966, are hereby fixed as follows:

Magistrates at Winnsboro and Winnsboro Mills, fourteen hundred eighty and twelve hundred thirty three dollars, respectively, per year;

Magistrates at Ridgeway and Mitford, eleven hundred dollars;

Magistrates at Feasterville and Jackson Creek, seven hundred forty dollars each;

Magistrates at Jenkinsville and Greenbrier, nine hundred eighty-seven dollars.

SECTION 4. All warrants drawn on county funds shall specify on what fund they are drawn, and no warrant shall be drawn on any fund other than specified in this act.

SECTION 5. The Sheriff of Fairfield County shall receive not exceeding one dollar and twenty cents each day for dieting prisoners.

The sheriff shall be allowed a turnkey fee of fifty cents per prisoner actually committed to and confined within the jail.

Provided, that in the case of all temporary prisoners committed by the Town of Winnsboro, the turnkey fee shall be paid by the town.

SECTION 6. All funds now in the hands of the treasurer and all funds that may come into his hands during the year 1965-1966, and monies in the hands of the treasurer received by the collection of tax executions during the year 1965-1966 are hereby transferred and made a part of the contingent fund. All funds of the county on hand July 1, 1965, by reason of unexpended balance of appropriations for the period ending June 30, 1965, are likewise made a part of the contingent fund. No part of the contingent fund shall be spent except on an order or orders signed by the Senator and the other member of the Legislative Delegation of Fairfield County. Approval of such appropriations shall be made only at a meeting of the entire legislative delegation. *Provided,* however, in the event there is an absence of either the Senator or the House member, then the other member of the delegation is authorized to approve such appropriation. At least one such meeting shall be held during each calendar month.

SECTION 7. The county board of commissioners is hereby directed to assume the office of Budget Officer for Fairfield County as part of their duties as county commissioners, and they are hereby authorized to reduce the appropriations for the various items in this act whenever they see that the revenue will not be available to meet the required appropriations.

SECTION 8. The sum of five hundred dollars shall be placed to the credit of the Farm Demonstration Agent, to be used by him for prizes for the boys' and girls' clubs, and to be divided between such annually. He is directed to file at the end of the year with the county board of commissioners a statement showing how such funds are expended. The appropriation hereinbefore provided for prizes for the Future Farmers of America Livestock Show shall be withdrawn only on proper request submitted to and approved by the County Farm Demonstration Agent, who shall file at the end of each year with the county board of commissioners an itemized statement showing how such funds were expended.

SECTION 9. In the event the clerk of court or judge of probate should have, in their official capacity, any funds which have been unclaimed for as long as seven years, they are hereby authorized to pay the same over to the county treasurer, taking his receipt for the same. The county treasurer shall deposit any amount so received as a part of the fund for ordinary county purposes.

SECTION 10. The county board of commissioners shall fix the salary of the superintendent of the county chain gang, to be paid out of the appropriation for Item 1, and all chain gang employees likewise shall have their salaries set by the board.

SECTION 11. All orders or warrants upon the county treasurer in the payment of approved claims shall be signed by the chairman of the board of county commissioners, attested by the clerk of the board.

SECTION 12. There is hereby levied a tax of two mills upon all of the taxable property in the county, the proceeds of which are to be used for the operation and maintenance of the Fairfield County Library. The auditor of the county is directed to levy, and the treasurer to collect, such tax, in like manner as other taxes are collected.

SECTION 13. The county board of commissioners, out of the appropriation for public buildings and insurance, shall draw a warrant in favor of the caretaker of the courthouse for twenty dollars, the sum to be used by him as a petty cash fund to buy minor supplies, the fund to be accounted for by him to the county board.

SECTION 14. The treasurer is hereby authorized and directed to place all taxes which were collected for purposes set forth in Section 15 of the 1952 Fairfield County Appropriations Act into the general fund, and is further directed to place any such taxes which hereinafter be collected for the funds, which taxes are now all delinquent, into the general fund upon their collection.

SECTION 15. The county, or any subdivision thereof, or any person purchasing on behalf of the county, shall not buy any item over one hundred dollars without first receiving competitive bids and, in the event the item shall cost more than four hundred dollars, request for bids shall be advertised in the newspaper published in the county; *provided,* however, that if the item to be purchased is

the only one of its kind and there are no competitive sellers or manufacturers, then advertisement shall not be necessary.

SECTION 16. Before any carnival, road show or circus shall be allowed to operate or set up for operation in the County of Fairfield, they shall pay a license fee to the Clerk of Court for Fairfield County in the amount of one hundred twenty-five dollars a week, or on a daily basis the sum of twenty-five dollars. *Provided,* however, that such must be sponsored by a recognized civic organization. In the absence of such payment, the carnival, road show or circus shall not be allowed to set up in the county. *Provided,* further, that no carnival, road show or circus shall be allowed to operate that is accompanied by fortunetellers, or any games of chance. The clerk shall turn over the license fee so collected to the treasurer, who shall credit same to the general fund.

SECTION 17. The treasurer is hereby authorized and directed to pay from the general fund of the county to any insurance company selected by the county board of commissioners, and approved by the county attorney, for the purpose of hospitalization and life insurance policies for county employees, not to exceed the amount appropriated in Item 25.

SECTION 18. The hawkers' and peddlers' license for nonresidents as required by law, to do business in Fairfield County shall be as follows:

Those selling, or offering for sale, furniture	$ 200.00
Those selling dry goods	150.00
Those selling jewelry and novelties	100.00
Those picking up laundry	25.00;

and

Those picking up dry cleaning	25.00

Provided, that if this service is not available by or through a local laundry or dry cleaning establishment, this license shall not be required. Neither shall the license be required where laundry and dry cleaning are left with a resident storekeeper or agent to be picked up.

All other licenses shall be $25.00, except ice delivery.

Provided, that licenses shall be from July first of a year to July first of the following year. The licenses now in effect shall be effective until they expire, at which time the clerk shall charge a pro rata license fee until the following July first if renewal is applied

for. The clerk shall issue new applications until the following July first on a pro rata cost basis, and all renewals of licenses shall be from July first after the initial application is made.

Provided, further, that the penalty for violation of this section shall be as prescribed by general law of this State relating to hawkers and peddlers.

The fees required herein shall be paid to the Clerk of Court of Fairfield County and shall be turned over to the Treasurer of Fairfield County for deposit to the general fund of the county.

SECTION 19. *Provided,* that if the revenue forthcoming from all sources to the County of Fairfield be inadequate to finance the obligations of the county, then, upon approval of the delegation, the Treasurer of Fairfield County shall be empowered to borrow up to forty thousand dollars, to be repaid within five years upon such terms and at such rate as may be best obtained.

SECTION 20. The County Sanitation Officer and the Manager of the Town of Winnsboro may employ a person for the purpose of catching and impounding stray or uninoculated dogs. For the purpose of the enforcement of laws pertaining to such dogs only, the person so employed shall have the authority of a deputy sheriff.

SECTION 21. This act shall take effect upon approval by the Governor.

Approved the 19th day of June, 1965.

(R122, H1258) **No. 600**

An Act To Authorize The Board Of Trustees Of School District No. 2 Of Florence County To Issue General Obligation Bonds Of The School District In An Amount Not Exceeding Two Hundred Thirty-Six Thousand Dollars, To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which Their Proceeds May Be Expended, And To Make Provision For The Payment Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that there exists an immediate need for additional class-

rooms and related facilities in the public school system operated by School District No. 2 of Florence County (the district), and has determined to permit the Board of Trustees of the School District (the board) to construct and equip the facilities with the proceeds of the bonds authorized by this act. It has also been determined to permit the issuance of bonds to the extent required to refund all outstanding indebtedness of the district to the State Budget and Control Board, Division of General Services.

SECTION 2. Additional facilities may be constructed.—The board may construct additional classrooms and related facilities for the district. It may also refund all outstanding indebtedness of the district to the Division of General Services. In order to raise moneys therefor, the board may issue and sell general obligation bonds of the district (without the necessity of holding any election), in an amount not to exceed two hundred thirty-six thousand dollars, if on the particular occasion that bonds are issued the applicable constitutional debt limitation shall not be exceeded.

SECTION 3. Maturity.—All bonds issued pursuant to this act shall mature in such annual series or instalments as the board shall provide, except that the first maturing bonds shall mature within three years from the date of issue; not less than three per cent of the bonds shall mature in each year; and no bonds shall mature later than twenty-five years from the date of issue.

SECTION 4. Redemption—Any bond issued pursuant to this act may be issued with a provision permitting its redemption prior to its stated maturity, at par and accrued interest, plus such redemption premium as may be prescribed by the board, but no bond shall be redeemable prior to its stated maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of the bonds, provision shall be made specifying the manner of call and the notice thereof that must be given as to bonds made redeemable prior to their stated maturities.

SECTION 5. Form.—The bonds issued pursuant to this act shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Florence County, upon such conditions as the board may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes

of negotiable instruments under the law merchant and the negotiable instrument law.

SECTION 6 Where payable—The bonds issued pursuant to this act shall be made payable at such place, within or without the State, as the board shall provide.

SECTION 7. Interest.—Bonds issued pursuant to this act shall bear interest at rates determined by the board.

SECTION 8. Denominations.—The bonds and the coupons to be attached shall be in such denomination and shall be executed in such manner as the board shall by resolution prescribe.

SECTION 9. Sale.—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. The published notice shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 10. Payment.—For the payment of the principal and interest of all bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the district shall be irrevocably pledged, and there shall be levied annually by the Auditor of Florence County, and collected by the Treasurer of Florence County, in the same manner as county taxes are levied and collected, on all taxable property in the district, a tax sufficient to pay the principal and interest of the bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

SECTION 11. Exempt from taxes.—The principal and interest of bonds issued pursuant to this act shall have the tax-exempt status prescribed by Section 65-4.1, Code of Laws of South Carolina, 1962.

SECTION 12. Proceeds.—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of Florence County, to be deposited in a bond account fund for the district and shall be expended and made use of as follows:

(a) Any accrued interest shall be applied to the payment of the first instalment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first instalment of principal of such bonds.

(c) The remaining proceeds shall be expended, upon the warrant or order of the board, for the following purposes:

(1) To defray the costs of issuing the bonds authorized by this act;

(2) To pay all indebtedness of the district to the Division of General Services; and

(3) To provide for additional public school facilities for the district in the manner contemplated by Section 2 of this act.

(d) If, after the final completion of the board's program, the board shall certify to the Treasurer of Florence County that any remaining balance in the bond account is no longer needed for its program, then such balance shall be held by the treasurer and used to effect the retirement of bonds then outstanding, which shall have been issued pursuant to this act.

SECTION 13. Powers to be additional.—The powers and authorizations hereby conferred upon the board shall be in addition to all other powers and authorizations previously vested in the board and may be availed of pursuant to action taken at any regular or special meeting of the board.

SECTION 14. No further action required.—No action other than that prescribed in this act need be taken to effect the issuance of the bonds herein authorized, nor shall the board be required to obtain the approval of any public agency to any action taken pursuant to the authorizations of this act.

SECTION 15. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of March, 1965.

(R449, H1673) **No. 601**

An Act To Appropriate The Sum Of Ninety-Four Thousand Four Hundred Seventeen Dollars To Be Used For School Purposes In Florence County For The Fiscal Year 1965-1966; To Provide For A Tax Levy To Raise Such Sum; To Authorize The County Board Of Education To Borrow Money In Anticipation Of This Tax Levy; To Require School Trustees To Prepare A Budget Of School Expenses; To Prohibit Expenditures In Ex-

cess Of Such Budgets; And To Make Appropriations For The Florence County Library.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The sum of ninety-four thousand four hundred seventeen dollars is hereby appropriated for educational purposes for Florence County for the fiscal year 1965-1966, and a tax of three and one-half mills to raise the sum is hereby levied upon all taxable property of Florence County, which sum shall be expended for the following purposes:

Item I.	Textbooks	$ 41,614.00
Item II.	Circulating Library	5,200.00
Item III.	Supplies	500.00
Item IV.	County Board Expense	1,500.00
Item V.	County Superintendent's Office	5,700.00
Item VI.	County Superintendent	3,750.00
Item VII.	Caterers	11,160.00
Item VIII.	Hot Lunches—Needy Cases	3,500.00
Item IX.	Florence Co. Library (Consolidated)	21,493.00
	Provided, that so much of the above amount as is necessary shall be expended for the estabment and maintenance of a Florence County Library System as provided by law.	
	Total	$ 94,417.00

SECTION 2. In order to carry out the purposes of this act and for the operation of schools in Florence County, the board of education is authorized to borrow such sum of money as may be necessary, the amount not to exceed fifty per cent of the taxes pledged for the payment thereof, and shall have the power to pledge any part or all of the school taxes levied in Florence County as security therefor. In the event it becomes necessary to borrow money for these purposes, the county board shall award the loan or loans to the lowest bona fide bidder, after first advertising for bids by notice published in one or more newspapers having circulation in Florence County for at least ten days prior to awarding such bids, and after giving written notice to all banks in Florence County of the terms and conditions under which bids shall be received. The proceeds of any loan obtained shall be deposited with the successful bidder; *provided*, the successful bidder shall be an incorporated bank within the County of Florence and shall

provide the county treasurer collateral for same as provided in the county appropriations act.

SECTION 3. The boards of trustees of the various school districts in Florence County shall, on or before the first day of June each year, prepare a budget showing in detail the items of proposed expenditures for the schools in their respective districts for the next ensuing year and file the same with the board of education for the county for its examination and approval. No budget shall be approved by the county board of education in excess of the revenues provided for the operation of the schools in any such school district, and no claim against any district shall be approved for payment by the county superintendent of education in excess of funds on the approved budget. The county board of education has the authority to spend for the benefit of the schools any unallocated funds or any accumulation of funds under any item of Section 1 of this act.

SECTION 4. This act is intended to be in addition to, and not in conflict with, any of the provisions of the annual county appropriations act of Florence County for the fiscal year 1965-1966.

SECTION 5. This act shall take effect upon approval by the Governor.

Approved the 20th day of May, 1965.

(R567, H1852)

No. 602

An Act To Amend An Act Of 1965 Bearing Ratification No. 449, Relating To Appropriations For School Purposes In Florence County For The Fiscal Year 1965-1966, So As To Further Provide For An Appropriation For The Florence County Library.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 1 of an Act of 1965 bearing Ratification No. 449 is amended on lines one and two by striking "ninety-four thousand four hundred seven dollars" and inserting "one hundred five thousand nine hundred ten dollars and fifty cents", by striking the total "94,417.00" and inserting "105,910.50" and by adding a new item to read as follows:

"Item X. Florence County Library balance of basement improvement ..... 11,493.50"

The section when amended shall read as follows:

"Section 1. The sum of one hundred five thousand nine hundred ten dollars and fifty cents is hereby appropriated for educational purposes for Florence County for the fiscal year 1965-1966, and a tax of three and one-half mills to raise the sum is hereby levied upon all taxable property of Florence County, which sum shall be expended for the following purposes:

Item I.	Textbooks	$ 41,614.00
Item II.	Circulating Library	5,200.00
Item III.	Supplies	500.00
Item IV.	County Board Expense	1,500.00
Item V.	County Superintendent's Office	5,700.00
Item VI.	County Superintendent	3,750.00
Item VII.	Caterers	11,160.00
Item VIII.	Hot Lunches—Needy Cases	3,500.00
Item IX.	Florence Co. Library (Consolidated) *Provided,* that so much of the above amount as is necessary shall be expended for the establishment and maintenance of a Florence County Library System as provided by law.	21,493.00
Item X.	Florence County Library balance of basement improvement	11,493.50
	Total	$105,910.50"

SECTION 2. This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R593, H1797) **No. 603**

An Act To Authorize The Board Of Trustees Of School District No. 1 Of Florence County To Borrow Not To Exceed The Sum Of Two Hundred Fifty Thousand Dollars For The Purchase And Improvement Of School Sites And To Provide For The Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. School District 1 of Florence County may borrow money.—The Board of Trustees of School District No. 1 of Flor-

ence County is authorized to borrow not more than the sum of two hundred fifty thousand dollars from the Division of Sinking Funds and Property, or any bank or lending agency, for the purchase and improvement of school sites.

SECTION 2. Payment.—The board of trustees may make, execute and deliver notes for the sum so borrowed, and shall arrange that the sum so borrowed shall be repaid under such terms and conditions as may be agreed upon between the borrower and the lender, at a rate of interest not to exceed four per cent. Immediately upon the execution and delivery of the notes, the board shall notify the Auditor and the Treasurer of Florence County of the issuance of the notes, method of payment, and interest rate, and the auditor shall levy, and the treasurer shall collect, an annual tax on the property in the school district sufficient to meet the annual payments and interest on the notes, and the taxes collected shall be applied to the payment of the notes.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R658, H1772)

No. 604

An Act To Make Appropriations For Ordinary County Purposes For Florence County For The Fiscal Year Beginning July 1, 1965, And Ending June 30, 1966; To Provide For The Expenditure Thereof; To Levy A Tax For The Payment Therefor; And To Validate Certain Actions; To Amend Sections 14-1967 And 14-1968, Code Of Laws Of South Carolina, 1962, Relating To Salaries And Fees In Florence County, So As To Further Provide Therefor; And To Add Sections 14-1968.1 Through 14-1968.5 To The Code Of Laws Of South Carolina, 1962, So As To Further Provide For Compensation Of Officers And Employees, To Provide For Numbering Of Documents Or Papers, To Provide For Payment Of Certain Fees, To Provide Penalties For Violations, And To Authorize The Sheriff To Retain Two Confiscated Motor Vehicles.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The following sums of money are hereby appropriated for the purposes herein set forth for Florence County for the period

beginning July 1, 1965, and ending June 30, 1966, inclusive, and the Auditor of Florence County is hereby authorized to levy, and the Treasurer to collect, for the calendar year 1965 upon all the taxable property in the county a tax of sixteen and one-half mills to defray the same:

Item 1. Roads, Bridges and Chain Gang:

(a) Gasoline, fuel, fuel oil, oil and grease	$ 30,000.00
(b) Labor:	
Road Supervisor, 15-C	5,325.00
Farm Supervisor, 12-A	3,900.00
Custodian of the records of the county chain gang, to be assigned such other duties as the county manager may desire performed, 3-C	2,830.00
Mechanic Supervisor, 11-B	3,900.00
Night Guard, 6-A	2,965.00
Guard-Supervisor, 10-C	3,900.00
Guard-Supervisor, 10-C	3,900.00
Guard-Supervisor, 10-B	3,720.00
Guard-Supervisor, 10-C	3,900.00
Guard-Supervisor, 10-D	4,080.00
Guard-Supervisor, 10-C	3,900.00
Road Machine Operator, 11-B	3,900.00
Road Machine Operator, 11-B	3,900.00
Road Machine Operator, 11-A	3,720.00
Road Machine Operator, 11-B	3,900.00
Road Machine Operator, 11-B	3,900.00
Road Machine Operator, 11-A	3,720.00
Road Machine Operator, 11-A	3,720.00
Road Machine Operator, 11-A	3,720.00
Road Machine Operator, 11-B	3,900.00
Road Machine Operator, 11-B	3,900.00
Road Machine Operator, 11-A	3,720.00
(c) Food and clothing	60,000.00
(d) Supplies, lumber, hardware, repairs, electricity, telephone and incidentals	40,000.00
(e) Hospitalization, drugs, medicines, special medical treatment and veterinarian	3,600.00
(f) County Physician (Salary, $2,400.00; office supplies and drugs, $300.00)	2,700.00

Provided, the county physician shall be one of the examining physicians in all lunacy examinations conducted in Florence County.

Provided, that all payments from items (a) through (f), inclusive, shall be made by voucher and not by cash.

(g)	Repairs to equipment	50,000.00
(h)	Pipe for bridges	25,000.00
(i)	New equipment	25,000.00
(j)	Cold patch materials	10,000.00
	Total, Item 1	$330,620.00

Item 2. Governing Board:

(a)	Chairman, Governing Board	$ 2,750.00
(b)	Six members, Governing Board	14,400.00

Provided, that the commissioners are authorized and requested to assist the county manager in maintaining the county roads and in constructing and in paving farm-to-market roads in their respective districts.

(c)	Expenses and mileage, Governing Board, seven members @ $75.00 per month	6,300.00
(d)	Secretary-Bookkeeper, 12-A	3,900.00
(e)	Bookkeeper, 11-A	3,720.00
(f)	County Manager	10,000.00
(g)	County Attorney	2,400.00
(h)	Courthouse—heat, lights, etc.	11,000.00
(i)	Courthouse Custodian, 3-C	2,830.00
(j)	Printing and postage	7,200.00
(k)	Premium on bonds	1,000.00

Provided, that each magistrate, constable and deputy sheriff shall give a surety bond in the penal sum of not less than one thousand dollars, such undertakings to be approved by the governing board of the county, and the cost of the bonds to be borne by the above item of one thousand dollars.

(l)	Miscellaneous funds	6,800.00

Provided, that $800.00 of the foregoing sum shall be allocated to county manager's expenses.

(m)	Clerk to Legislative Delegation (part-time), 7-C+	1,800.00
(n)	Social Security—Administration	14,500.00
(o)	S. C. Retirement System	30,000.00
(p)	Office expense, Florence Magistrate	600.00
(q)	Delegation office expense	600.00
	Total, Item 2	$119,800.00

Item 3. Sheriff's Office:

(a)	Sheriff, salary	$ 9,000.00
	Provided, that the deputies serving any civil process shall receive mileage fees paid therefor by parties securing service. *Provided,* further, that the Sheriff of Florence County shall mark a sufficient number of automobiles as provided herein to be readily identifiable as law enforcement vehicles and shall by utilizing the personnel assigned to him perform regular nightly patrols of the rural areas of the county.	
(b)	Radio equipment and maintenance, Sheriff's Office	1,850.00
(c)	Deputy Sheriffs:	
	Chief Deputy, 14-F	5,325.00
	Chief Investigator, 14-F	5,325.00
	Deputy Sheriff, 14-D	4,900.00
	Deputy Sheriff, 14-D	4,900.00
	Deputy Sheriff, 14-D	4,900.00
	Deputy Sheriff, 14-D	4,900.00
	Deputy Sheriff, 14-D	4,900.00
	Deputy Sheriff, 14-D	4,900.00
	Deputy Sheriff, 14-D	4,900.00
	Deputy Sheriff, 14-D	4,900.00
	Deputy Sheriff, 14-D	4,900.00
	Deputy Sheriff, 14-A	4,260.00
(d)	Purchase of twelve law enforcement vehicles	23,000.00
	Provided, that the Sheriff of Florence County shall purchase the vehicles as provided above through the Division of General Services of the State Budget and Control Board.	

(e)	Vehicle maintenance and supplies ..... *Provided,* that from the funds above appropriated there shall be furnished the necessary supplies and repairs to maintain the vehicles as provided herein for law enforcement conducted by the Sheriff of Florence County.	11,000.00
(f)	Identification Officer, 12-E ..... *Provided,* he shall be under the control of the Sheriff of Florence County and the Chief of Police for the City of Florence and that the City of Florence shall provide additional compensation commensurate with the grade level of this position.	2,340.00
(g)	Clerk to Sheriff, 7-C	3,400.00
(h)	Office expense for Sheriff ..... *Provided,* that so much of the foregoing as is necessary shall be used for procuring information in criminal prosecutions.	300.00
(i)	Radio Repairman	1,050.00
	Total, Item 3	$110,950.00
Item 4.	Treasurer's Office:	
(a)	Treasurer, salary (County's share $5,839.00) ..	$ 10,000.00
(b)	Bookkeeper, 12-A	3,900.00
(c)	Clerk II, 5-E	3,400.00
(d)	Clerk II, 5-E (Part-time) ..... *Provided,* that so much of the funds appropriated by this item shall be utilized on the basis of the above full-time salary for such services as may be performed by the person filling this position.	3,400.00
(e)	Expenses, mailing tax notices	1,800.00
(f)	Interest—Road Bonds	20,362.50
(g)	Principal and interest—Florence-Darlington Technical Education Committee obligation	54,000.00
	Total, Item 4	$ 96,862.50
Item 5.	Magistrates:	
	Magistrate—Florence	$ 4,719.00
	Clerk to Magistrate—Florence, 7-E	3,720.00

	Magistrate—Timmonsville	3,025.00
	Clerk to Magistrate—Timmonsville	1,260.00
	Magistrate—Lake City	3,025.00
	Clerk to Magistrate—Lake City	2,102.00
	Magistrate—Pee Dee and Hannah	1,476.00
	Magistrate—Evergreen	2,178.00
	Magistrate—Olanta	3,025.00
	Clerk to Magistrate—Olanta	1,260.00
	Magistrate—Johnsonville	2,178.00
	Magistrate—Pamplico	2,178.00
	Magistrate—Coward	1,815.00
	Total, Item 5	$ 31,961.00
Item 6.	Constables:	
	Two Constables—Florence	$7,260.00
	Constable—Timmonsville	3,025.00
	Constable—Pamplico	2,178.00
	Constable—Olanta	3,025.00
	Constable—Lake City	3,025.00
	Constable—Evergreen	2,178.00
	Constable—Johnsonville	2,178.00
	Constable—Pee Dee and Hannah	1,476.00
	Constable—Coward	1,815.00
	Total, Item 6	$ 26,160.00
Item 7.	Coroner's Office:	
(a)	Coroner, salary	$ 4,000.00
(b)	Travel expense for Coroner	1,980.00
(c)	Coroner's expense for performance of autopsies only	1,500.00
(d)	Stenographic assistance, inquests	250.00
	Total, Item 7	$ 7,730.00
Item 8.	Judge of Probate's Office:	
(a)	Judge of Probate, salary	$ 10,000.00
(b)	Administrative Assistant, 12-B	4,080.00
(c)	Clerk III, 6-C	3,250.00
	Total, Item 8	$ 17,330.00

Item 9.	Auditor's Office:	
(a)	Auditor, salary (County's share $5,839.00)	$ 10,000.00
(b)	Auditor, travel	300.00
(c)	Administrative Assistant, 12A	3,900.00
(d)	Clerk II, 5-F	3,550.00
(e)	Clerk II, 5-C	3,110.00
(f)	Clerk II, 5-B	2,965.00
(g)	Clerk II, 5-B *Provided,* that the person who is employed to occupy this position shall work part time for the auditor and part time for the treasurer and shall be paid according to the amount of work performed.	2,965.00
(h)	Clerk II, 5-A	2,830.00
	Total, Item 9	$ 29,620.00
Item 10.	Tax Assessor's Office:	
(a)	Tax Assessor, salary	$ 6,000.00
(b)	Clerk, 5-A—	2,800.00
(c)	Assessor, travel	1,200.00
(d)	Board of Assessment Control, per diem @ $10-.00 per day	840.00
(e)	Board of Assessment Appeals, per diem @ $10-.00 per day	600.00
	Total, Item 10	$ 11,440.00
Item 11.	Delinquent Tax Collector's Office:	
(a)	Delinquent Tax Collector, salary	$ 10,000.00
(b)	Clerk III, 6-F	3,720.00
(c)	Clerk II, 5-B (Part-time)	1,600.00
(d)	Extra clerical help—preparation of tax books and notices	750.00
(e)	Tax Collector, travel	600.00
(f)	Office supplies—notices, printing and postage	1,500.00
	Total, Item 11	$ 18,170.00

Item 12. County Jail:

(a)	County Jailer, 9-C	$ 3,420.00
(b)	Assistant County Jailer, 8-C	3,550.00
(c)	Jail—dieting prisoners	10,000.00
	Total, Item 12	$ 16,970.00

Item 13. County Agent's Office:

(a)	County Agent, salary supplement *Provided,* that the county agent shall serve in an administrative capacity with the Florence County Resources Development Committee.	$ 1,700.00
(b)	Assistant County Agents—four @ $360.00, salary supplement	1,440.00
(c)	Home Demonstration Agent, salary supplement	350.00
(d)	Home Demonstration Agent, telephone	175.00
(e)	Home Demonstration Agent, supplies	250.00
(f)	Assistant Home Demonstration Agent, salary	2,640.00
(g)	4-H Club Work	400.00
(h)	J. H. A. (Junior Homemakers)	200.00
(i)	Associate County Agent, salary supplement	462.00
(j)	Associate County Agent, demonstrational materials	50.00
(k)	Associate Home Demonstration Agent, salary supplement	792.00
(l)	Assistant Home Demonstration Agent, salary	2,400.00
(m)	Secretary to serve four Assistant and Associate Agents, salary	1,800.00
(n)	Associate Home Demonstration Agent, demonstrational materials and telephone	275.00
(o)	Agricultural Building, expense *Provided,* the rents from the Agricultural Building shall be applied on maintenance.	3,000.00
	Total, Item 13	$ 15,934.00

Item 14. Charities:

(a)	Florence County Department of Public Welfare:	
	Local Administration	$ 1,500.00
	Child Welfare Unit	1,920.00
	Boarding home care for children in foster homes	300.00

Emergency fund	2,300.00
Salary supplements	6,165.00
Board members	1,800.00
Provided, that members of the board of the Department of Public Welfare shall receive the sum of $50.00 per month and shall be required to meet at least once each week to conduct the business and supervise the functions of the Welfare Department.	
	$ 13,985.00
(b) Charity Hospital Cases	$ 23,000.00
Provided, that this amount shall be apportioned and disbursed in twelve monthly installments not to exceed two thousand dollars per installment.	
Provided, further, that none of these funds shall be expended on cases outside of Florence County.	
(c) Medicine for charity cases, to be disbursed upon recommendation of attending physicians	3,500.00
(d) Salvation Army	1,500.00
(e) Foster Children's Home	5,000.00
(f) Florence County Foster Home	4,000.00
Total, Item 14	$ 50,985.00
Item 15. (a) County Health Department:	
Health Officer, salary supplement	$ 4,027.00
Health Officer, travel	1,080.00
Chief Sanitarian, travel	1,080.00
Assistant Sanitarian, travel	1,080.00
Health Educator, salary	4,963.00
Health Educator, travel	1,080.00
Public Health Nurse IV, travel	1,080.00
Public Health Nurse II, salary	4,184.00
Public Health Nurse II, travel	1,080.00
Public Health Nurse II, salary	4,184.00
Public Health Nurse II, travel	1,080.00
Public Health Nurse II, travel	1,080.00
Public Health Nurse II, travel	1,080.00
Public Health Nurse II, salary	4,002.00

Public Health Nurse II, travel	1,080.00
Public Health Nurse II, salary	4,002.00
Public Health Nurse II, travel	1,080.00
Public Health Nurse I, salary	3,911.00
Public Health Nurse I, travel	1,080.00
Public Health Nurse I, salary	3,729.00
Public Health Nurse I, travel	1,080.00
Public Health Nurse I, salary	3,729.00
Public Health Nurse I, travel	1,080.00
Public Health Nurse I, salary	3,547.00
Public Health Nurse I, travel	1,080.00
Clerk II and X-ray technician, salary	3,378.00
Contingent Fund	4,000.00
Tuberculosis Drugs	2,000.00
Maintenance—Health Centers and Florence County Health Department	11,360.00
	$ 77,216.00

Provided, that the amounts herein enumerated for salary shall be paid in monthly payments according to a schedule which shall be approved by the County Board of Health and filed by the County Health Officer in the office of the Governing Board.

Provided, further, that no items listed for maintenance and contingencies shall be expended without written approval of the County Board of Health, said approval to be prior to the submission of vouchers to the County Governing Board.

Provided, further, that the amounts herein enumerated for travel shall be expended only upon written approval of the County Board of Health, at the rate of nine cents per mile so traveled, monthly, said approval to be prior to the submission of vouchers to the County Governing Board, not to exceed the amount so appropriated.

Provided, further, that the County Health Officer shall act with the county physician in all lunacy examinations and shall administer and

give all smallpox vaccinations and anti-typhoid serum, in addition to all general duties of the County Health Officer.

Provided, further, that the sum enumerated for tuberculosis drugs shall be utilized for out-patient treatment.

Provided, further, that one Public Health Nurse shall be assigned to each Health Center in the county on a regular schedule to be approved by the County Board of Health; *provided,* further, that unless and until the Chairman of the Florence County Board of Health shall certify to the Treasurer of Florence County that the foregoing has been accomplished, none of the funds appropriated in this section shall be disbursed by the Treasurer of Florence County.

(b) Mental Health Clinic 15,238.33

Provided, that matching funds are supplied by the State of South Carolina, the Federal Government and Darlington County on the same ratio as in the past in an amount sufficient to demand this expenditure.

Total, Item 15	$ 92,454.33
Item 16. National Guard Units:	
(a) Lake City National Guard	$ 1,200.00
(b) Florence National Guard	1,400.00
(c) Timmonsville National Guard	980.00
Total, Item 16	$ 3,580.00
Item 17. Courts:	
(a) Civil Court of Florence—jurors and expenses	$ 10,000.00
(b) Judge's salary	15,000.00
(c) Civil Court Stenographer	4,800.00
(d) Contingent Fund for Civil Court	200.00
(e) Jurors and Witnesses, Circuit Court	25,000.00
(f) Expenses, Stenographer, Court of Common Pleas and General Sessions	400.00
(g) Master in Equity	10,000.00
(h) Clerk III, 6-C	3,250.00

(i) Probation Officer	330.00
(j) Clerk to Probation Officer	330.00
(k) Phone for Probation Officer	122.00
(l) Expenses, Resident Circuit Judge	1,500.00
(m) Clerk — Resident Circuit Judge — Florence County share	1,260.00
(n) Maintenance of County Law Library	1,500.00
(o) Solicitor, expenses	1,800.00
(p) Clerk of Court	10,000.00
(q) Deputy Clerk of Court	6,000.00
(r) Administrative Assistant, 12-E	4,680.00
(s) Clerk III, 6-F	3,720.00
(t) Clerk II, 5-B	2,965.00
Total, Item 17	$102,857.00
Item 18. County Service Officer:	
(a) Secretary, salary (County's share)	$ 2,050.00
(b) Expenses, County Service Officer	400.00
(c) Salary supplement, County Service Officer	642.00
Total, Item 18	$ 3,092.00
Item 19. Election Commission	$ 450.00
Provided, this sum is to be paid for expenses and mileage, and is to be paid quarterly.	
Total, Item 19	$ 450.00
Item 20. Florence County Higher Education Commission	$ 30,972.88
Provided, that all fees charged by the University of South Carolina for any purpose shall be paid for by the tuition of the students enrolled in the University of South Carolina Extension Branch at Florence.	
Total, Item 20	$ 30,972.88
Item 21. Florence County Historical Commission	$ 7,500.00
Total, Item 21	$ 7,500.00
Item 22. County Recreation Department:	
(a) Director's salary	$ 5,280.00
(b) Director's travel	1,200.00

(c)	Office expenses and postage	310.00
(d)	Officiating	125.00
(e)	Program supplies	1,500.00
(f)	Program activities	2,000.00
(g)	Contingent Fund	65.00
(h)	Maintenance and construction of lighting facilities	850.00
(i)	Summer helper	650.00
(j)	Summer helper—travel	100.00
(k)	Secretary	350.00
	Total, Item 22	$ 12,430.00
Item 23.	Insurance on County Employees	$ 3,200.00
	Total, Item 23	$ 3,200.00
Item 24.	Insurance on County Buildings	$ 1,200.00
	Total, Item 24	$ 1,200.00
Item 25.	Workmen's Compensation Premiums	$ 4,000.00
	Total, Item 25	$ 4,000.00
Item 26.	Annual Audit of County	$ 2,750.00

Provided, that ALL offices in the Courthouse shall be audited, such audit to include all moneys received by such officers, including fines, fees and collections.

	Total, Item 26	$ 2,750.00
Item 27.	County Ranger	$ 300.00
	Total, Item 27	$ 300.00
Item 28.	Florence County Registration Board	$ 2,000.00
	Total, Item 28	$ 2,000.00
Item 29.	Civil Defense Director—Federal matching funds	$ 5,200.00

Provided, that the Director shall receive a salary of $6,000.00 and that the same shall be pro rata shared by the existing State Civil Defense Agency.

	Civil Defense Director—travel	$ 900.00
	Contingent Fund for purchase of Civil Defense Equipment	800.00
	Lake City Rescue Squad	700.00
	Pamplico Rescue Squad	700.00
	Scranton Rescue Squad	700.00
	Lake City Rural Fire Department	750.00
	Scranton Rural Fire Department	700.00
	Johnsonville Rural Fire Department	700.00
	Pamplico Rural Fire Department	700.00
	Total, Item 29	$ 11,850.00
Item 30.	Civil Air Patrol, Florence	$ 2,367.00
	Total, Item 30	$ 2,367.00
Item 31.	Florence County Industrial Loan and Development Commission	$ 25,000.00
	Total, Item 31	$ 25,000.00
Item 32.	Florence-Darlington Technical Education Center, Maintenance and Operation	$ 15,581.00
	Total, Item 32	$ 15,581.00
	SUBTOTAL	$1,206,116.71
	Less State's share of salary of Auditor and Treasurer	$ 8,322.00
	GRAND TOTAL	$1,197,794.71
ESTIMATED REVENUE FROM THE STATE OF SOUTH CAROLINA:		
	Alcoholic Liquors Tax	$ 95,000.00
	Beer and Wine Tax	25,000.00
	Bank Tax	15,000.00
	Income Tax	130,000.00
	Insurance License Fees	85,000.00
	Gasoline Tax	300,000.00
	Service Officer	6,099.00
	TOTAL FROM STATE	$656,099.00

ESTIMATED REVENUE FROM COUNTY SOURCES:	
Ad Valorem Property Tax	$450,000.00
Magistrates' Fines	110,000.00
Clerk of Court Fines	8,400.00
Back Taxes and Execution Fees	25,000.00
Master in Equity Fees	7,575.00
Clerk of Court, Judge of Probate and Treasurer's Fees	50,000.00
Miscellaneous and Tax Collector	5,000.00
TOTAL FROM COUNTY	$655,975.00
GRAND TOTAL OF ESTIMATED REVENUE FROM STATE AND COUNTY	$1,312,074.00

SECTION 2. The Treasurer of Florence County is hereby authorized, empowered and directed to pay the funds hereinabove appropriated out of any available funds in hand or that may be collected.

SECTION 3. Such officers of Florence County as are charged with the expenditure or disbursement of the above appropriations shall state upon each warrant drawn upon the county treasurer the item in the Appropriations Act on account of which the warrant shall have been drawn, and such disbursing officer shall not draw his warrant upon the county treasurer in any amounts singly or in the aggregate for more than has been appropriated for the specific purpose for which the warrant is drawn, except upon the written consent of all of the legislative delegation, and no warrant paid by the county treasurer shall be allowed as a credit to him in his settlement unless it conforms with the above requirements. *Provided,* the Governing Board of Florence County is hereby authorized to borrow the funds hereinabove appropriated and pledge therefor the taxes to be collected for 1965. *Provided,* further, that upon any matter which the Governing Board of Florence County is required to act in connection with the county's business and affairs a majority of the board shall be sufficient. *Provided,* further, that all expenditures made and actions taken upon written authorizations of the Florence County Legislative Delegation are hereby validated.

SECTION 4. The governing board shall award the loan authorized in Section 3 to the lowest bona fide bidder, advertising for open bids

in one or more newspapers, published in Florence County at least ten days prior to awarding bids, and at the same time notify each bank in Florence County in writing the terms and conditions under which the bids are received. The proceeds of this loan shall be deposited with the successful bidder; *provided,* the successful bidder is an incorporated bank within the County of Florence, South Carolina; *provided,* further, that before depositing any funds of the county in any bank or banks, such bank or banks shall secure the safe deposit of such funds by depositing with the county treasurer a trust receipt certifying that securities to the amount of such deposit or deposits have been duly set aside in some bank or trust company to be approved by the county board and are being held in trust for Florence County to secure such deposit. *Provided,* further, that securities shall be bonds or obligations issued by the United States of America, the State of South Carolina, or some political or governmental subdivision thereof, either or both, or Federal Land Bank, or Joint Stock Land Banks, or Home Owners' Loan Bonds; *provided,* further, that the deposit so made and secured shall remain with the bank or banks receiving it until used for the purpose for which it was borrowed, and all other funds of the county not already pledged shall be deposited with such successful bidder or bidders.

SECTION 5. All road machinery, plows, equipment and supplies to be purchased by Florence County from the funds herein appropriated shall be bought for the most economical price from the State Purchasing Agent or the State Highway Department, or upon competitive sealed bids, after two weeks' advertisement for such bids in some newspaper best circulated to give notice to the trade, which advertisement shall designate the time and place at which the bids will be opened, and the bids shall be publicly opened at the time and place designated in the advertisement. *Provided,* further, that each member of the county delegation shall be notified by letter of the time and place of opening bids publicly. *Provided,* further, the county manager shall be allowed to purchase supplies up to and not exceeding $500.00 without bids.

SECTION 6. No purchase shall be made for Florence County of any kind whatsoever from any members of the governing board or legislative delegation, or any relative of any member of the governing board or legislative delegation within the sixth degree, nor shall any member of the governing board or legislative delegation,

or person related to a member of the governing board or legislative delegation within the sixth degree, enter into any contract by or with Florence County.

SECTION 7. The Clerk of Court for Florence County shall record all tax titles made to the Forfeited Land Commission for Florence County from the delinquent tax collector, and the auditor of the county shall record the transfer thereof without charge, in part consideration of the compensation now received by these officers.

SECTION 8. The Treasurer of Florence County is hereby directed to pay the sum of $110,000.00, which shall be received by the county treasurer by reason of a reimbursement agreement between the county and the State Highway Department, to the appropriate persons to retire the existing road bonds heretofore sold as a result of said agreement. The payment shall be for the purpose of paying the principal of the bonds.

SECTION 9. The Treasurer of Florence County shall annually determine if any surplus funds exist which have been appropriated to the several departments and agencies of the county. Should any surplus exist he shall transfer it to a special account which shall be expended only on written authorization of a majority of the legislative delegation.

End of Part I

PART II

Permanent Provisions

SECTION 1.

It is hereby declared to be the intent of the General Assembly that the following sections shall constitute a part of the permanent laws of the State of South Carolina, and the Code Commissioner is hereby directed to include same in the next edition of the Code of Laws of South Carolina, and all supplements to the Code.

SECTION 2.

Section 14-1967 of the Code of 1962 is amended by striking it and inserting in lieu thereof the following:

"Section 14-1967. In Florence County all fees except those payable to the sheriff, magistrates or constables for service of process, which are now or hereafter shall be prescribed by law to be paid to the

officers of the county, shall be paid at the respective offices. The several officials shall issue receipts which shall be numbered consecutively. They shall maintain a permanent record of all amounts received and shall, on or before the tenth day of each month, remit the prior month's receipts to the county treasurer."

SECTION 3.

All documents or papers issued by the respective offices for which a fee is charged and collected shall be numbered consecutively.

SECTION 4.

Section 14-1968 of the Code of 1962 is amended by striking it and inserting in lieu thereof the following:

"Section 14-1968. No ministerial officer shall perform any service required as a duty of his office until the fees required by law shall have been paid."

SECTION 5.

Section 14-1968.1 is added to the Code of Laws of South Carolina, 1962, to read as follows:

"Section 14-1968.1. All appropriations for compensation to officers and employees of Florence County shall be in full for the year, except fees payable to the sheriff, magistrates or constables for service of process."

SECTION 6.

Section 14-1968.2 is added to the Code of Laws of South Carolina, 1962, to read as follows:

"Section 14-1968.2. In all civil actions or proceedings presently docketed wherein pleadings or other papers are filed, the Clerk of Court of Florence County shall collect an additional four dollars before any further action may be taken on the matter. This fee shall constitute the entire cost of the clerk of court in such matter.

"In all civil actions or proceedings docketed prior to June 30, 1965, the additional four-dollar fee shall likewise be paid to the Clerk of Court of Florence County."

SECTION 7.

Section 14-1968.3 is added to the Code of Laws of South Carolina, 1962, to read as follows:

"Section 14-1968.3. In all civil actions or proceedings docketed after June 30, 1965, wherein pleadings or other papers are filed, the Clerk of Court of Florence County shall collect in advance from the

plaintiff, the attorney or other person filing the pleadings or papers, at the time of the filing of the first pleading or other paper or process, the sum of five dollars, which sum shall constitute the entire cost of the clerk of court in the case, action or proceeding.

"Upon receipt of such pleadings or other paper or process, the clerk of court shall file it in such regular manner as to be available for the courts or attorneys as required.

"No part of the sum so collected shall be refunded upon discontinuance of the action or otherwise.

"The costs referred to in this section are not intended to include commissions on sales, which shall remain as fixed by law now or hereafter. The costs as referred to herein shall be in lieu of all other fees and commissions relating to civil actions or proceedings wherein pleadings or other papers are filed as provided for clerks of court in Section 27-53 of the 1962 Code."

SECTION 8.

Section 14-1968.4 is added to the Code of Laws of South Carolina, 1962, to read as follows:

"Section 14-1968.4. In Florence County a fee of five dollars shall be paid to the Judge of Probate for the issuance of a marriage license, which shall be paid at the time of application."

SECTION 9.

Section 14-1968.5 is added to the Code of Laws of South Carolina, 1962, to read as follows:

"Section 14-1968.5. All officials of the county who are required by law to collect fees shall be bonded in an amount to be fixed by the governing body of the county. The premiums on the bonds shall be paid from the general fund. The official bond of each officer shall be responsible for the collection of all fees and a full accounting therefor."

SECTION 10.

Any official violating the provisions of Part II of this act shall be deemed guilty of a misdemeanor and, upon conviction, shall be subject to a fine of not more than five hundred dollars or imprisonment for not more than twelve months or both.

SECTION 11.

The Sheriff of Florence County is authorized to retain two confiscated motor vehicles to be used by him in law enforcement.

End of Part II

This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1965.

(R23, H1056) **No. 605**

An Act To Ratify And Affirm A Conveyance From Georgetown County To R. D. Price And J. P. Price.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Conveyance of land by Georgetown County validated.—The deed conveying real estate, situated in Georgetown County, from Georgetown County to R. D. Price and J. P. Price, dated October 7, 1964, recorded October 9, 1964 in Deed Book 62 at page 291 in the office of the Clerk of Court for Georgetown County, is hereby ratified, affirmed and declared valid in all respects.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of February, 1965.

(R87, S105) **No. 606**

An Act To Amend Act No. 462 Of 1935, Relating To The Establishment And Maintenance Of Obstructions Across Certain Creeks In Georgetown County, So As To Include Brookgreen Creek Within The Provisions.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 1 of Act 462 of 1935 amended—obstructions authorized in certain creeks in Georgetown County.—Section 1 of Act No. 462 of the Acts of 1935 is amended to read as follows:

"Section 1. The right, power and privilege to construct, erect and maintain dams or other obstructions in Brookgreen Creek, Oaks Creek and Springfield Creek, in the County of Georgetown, is hereby authorized and granted to Brookgreen Gardens, an eleemosynary corporation duly chartered under the laws of this State, its successors or assigns. The dams or other obstructions in the creeks shall be located at such points as may be selected by the officers of the Brookgreen Gardens."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of February, 1965.

(R633, H1395)

No. 607

An Act Authorizing And Directing The County Board Of Commissioners Of Georgetown County To Purchase And Convey Certain Property To The International Paper Company.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Georgetown County may convey certain property.—The County Board of Commissioners of Georgetown County is hereby authorized and directed to convey to the International Paper Company that certain 34.5 acre tract of land situate in Township No. 1, Georgetown County, shown and designated on a map made by Samuel M. Harper, R. L. S., dated February 1955, and to purchase a tract of timberland to be designated by the International Paper Company at a price not to exceed seven thousand dollars and to convey such land to the International Paper Company, in exchange for the water lines, rights of ways, easements, pumping station, equipment, fixtures, machinery, such lands upon which the pumping station is situate necessary to operate such station, and any other things incident thereto which are to be conveyed by the International Paper Company to the County of Georgetown.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R635, H1811)

No. 608

An Act To Authorize Georgetown County To Borrow Not Exceeding Three Hundred Thousand Dollars For Renovating The County Courthouse And To Provide For The Payment Of The Loan.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Georgetown County may borrow money.—The Chairman of the County Board of Commissioners and the Treasurer of Georgetown County are hereby authorized to borrow not exceeding three hundred thousand dollars for renovating, improving and making additions to the county courthouse. The money shall be evidenced by a note of Georgetown County, executed on behalf of the county by the chairman of the county board of commissioners and the county treasurer and in such form as shall be prescribed by the chairman and county treasurer. The note shall bear interest at the lowest available rate, payable semiannually, (determined by a call for bids directed to all banking institutions doing business in Georgetown County) and shall be payable as to principal in ten equal annual installments, the first of which shall be due twelve months from the date of the note. The note shall provide that the county has reserved and may anticipate the payment of the principal of the note, in whole or in part, on all principal payment dates.

SECTION 2. Payment.—For the payment of the note the auditor shall levy and the treasurer shall collect an annual tax on all the taxable property of the county sufficient to retire the loan and the interest due thereon, and the entire proceeds of the levy shall be applied to the payment of the loan, including interest. The levy shall terminate when the note has been paid in full.

The full faith, credit and taxing power of the county are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Exempt from taxes.—The principal and interest on any note issued pursuant to this act shall be tax exempt as provided by Section 65-4.1, Code of Laws of South Carolina, 1962.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R703, S417)

No. 609

An Act To Authorize Georgetown County To Transfer Certain Property.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Georgetown County may transfer certain property.—Georgetown County is hereby authorized to convey to T. V. West the following property:

> All that certain piece, parcel or lot of land, situate, lying and being in the City and County of Georgetown, State of South Carolina, situate on the northwest side of Hazard Street and shown and designated as parcel No. 2 on a plat made by Samuel M. Harper, R.L.S., dated 26 May, 1965 and to be recorded in the office of the Clerk of Court for said County. Said parcel measures and contains in front on Hazard Street 2.1 feet, the same on the opposite or rear line and extends back in depth from said Hazard Street 78.6 feet on each side line and butts and bounds as follows: on the northeast by other lands of the County of Georgetown used as the Health Center, on the southeast by Hazard Street, on the southwest and northwest by other lands of T. V. West, all of which will more fully and at large appear by reference to said map which is hereby declared to be a part and parcel hereof.

in exchange for the following property conveyed by T. V. West to Georgetown County:

> All that certain piece, parcel or lot of land situate, lying and being on the southwest side of Duke Street in the City and County of Georgetown, South Carolina, shown and designated as Lot No. 1 on a map made by Samuel M. Harper, R.L.S., dated 26 May, 1965, and to be recorded in the office of the clerk of court of said county. Said parcel or lot hereby conveyed measures and contains in front on Duke Street 2.1 feet and the same on its opposite or rear line and extends back in depth from Duke Street 147.9 feet on each side line and butts and bounds as follows: on the northeast by Church Street, on the southeast by other lands of Georgetown County used as the Health Center, on the southwest and northwest by other lands of T. V. West.

SECTION 2. Further.—Georgetown County is hereby authorized to convey to Georgetown Broadcasting Company for the consideration of the sum of one thousand dollars per acre:

All that certain piece, parcel or tract of land situate, lying and being near the City of Georgetown, South Carolina measuring and containing 10.45 acres as shown on a map made by Samuel M. Harper, R.L.S., dated June, 1965, and to be recorded in the office of the Clerk of Court of Georgetown County. Said tract according to the aforementioned map butts and bounds as follows: on the northeast by State Street, on the southeast by Merriman Road and lands of the estate of P. E. Assey, on the southwest by Rutledge Street and lands of the estate of P. E. Assey, on the northwest by Lee Street, all of which will more fully and at large appear protanto, a part and parcel hereof.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R721, H1639)

No. 610

An Act To Provide For The Levy Of Taxes For Schools, Roads And Other County Purposes In Georgetown County For The Fiscal Year Beginning July 1, 1965, Through June 30, 1966; To Provide For The Expenditure Thereof; To Set The Limits Of Certain Waters In The County; And To Provide For Certain Fiscal Affairs Of The County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. In order to provide the sums appropriated herein for the respective purposes hereinafter mentioned, there is hereby levied upon all the taxable property in Georgetown County, for the fiscal year beginning July 1, 1965, and ending June 30, 1966, such number of mills as may be necessary for the purpose of paying the sums herein set out. The county auditor shall make such levy with the approval of a majority of the legislative delegation from the county. In the event, however, of the death or resignation of any one or more members of the legislative delegation, the survivor or survivors shall have the right and power to execute such order.

Roads and Bridges	$137,000.00
Clerk of Court, salary	7,750.00

Deputy Clerk of Court, Salary	3,900.00
Clerk to Clerk of Court, Salary	3,500.00
Clerk to Clerk of Court, Salary	3,100.00
Sheriff, Salary	7,750.00
Sheriff, Travel Allowance	2,750.00
Deputy Sheriffs, Salaries	43,200.00
Deputy Sheriffs, Travel Allowance	24,075.00
For use by Sheriff for investigating purposes	1,500.00
Clerk to Sheriff, Salary	3,900.00
Clerk to Sheriff, Salary	3,300.00
Jailor	4,200.00
Assistant Jailor and Radio Operator	3,900.00
Treasurer, sufficient with amount paid by State to total $7,750.00	3,902.00
Clerk to Treasurer, Salary	3,900.00
Clerk to Treasurer, Salary	3,500.00
Part-time Clerk to Treasurer	950.00
Auditor, sufficient with amount paid by State to total $7,750.00	3,902.00
Tax Assessor, Salary	5,400.00
Tax Assessor, Mileage	1,200.00
Custodian of maps and mapper	4,950.00
Custodian of maps and mapper, mileage	1,200.00
Clerk to Auditor, Salary	3,900.00
Tax Accounting Clerk	3,900.00
Clerk to Auditor	3,300.00
Clerk to Auditor and Treasurer, Salary	3,300.00
County Commissioners, per diem and mileage	3,000.00
Chairman, Board of Commissioners, Salary	3,600.00
County Service Officer, Salary	4,950.00
County Service Officer, Travel	1,100.00
Clerk to Service Officer, Salary	3,900.00
Coroner, Travel	1,200.00
Attorney	1,800.00
Judge of Probate, Salary	6,750.00
Deputy Judge of Probate and Clerk	3,900.00
Clerk	3,300.00
Magistrate, Georgetown, Salary	4,450.00
Clerk to Magistrate, Georgetown	1,050.00
Magistrate, Andrews, Salary	1,800.00

Constable, Andrews, Salary	700.00
Magistrate, Nos. 5 and 6 Townships, Salary	1,800.00
Constable, No. 5 Township, Salary	700.00
Constable, No. 6 Township, Salary	700.00
Magistrate, Pawley's Island, Salary	1,800.00
Constable, Pawley's Island, Salary	700.00
Magistrate, Murrels Inlet, Salary	1,200.00
Clerk to Magistrate, Murrels Inlet	600.00
Constable, Murrels Inlet, Salary	700.00
Tax Commission and Board of Appeals	3,000.00
Jail Expenses	12,000.00
Jurors and Witnesses	15,000.00
Emergency Funds, Dept. of Public Welfare	3,500.00
Poor	5,000.00
Administrative Expenses, Dept. of Public Welfare	2,300.00
Post Mortems, Inquests and Lunacies	1,000.00
Public Buildings	20,000.00
Printing, Postage and Stationery	10,000.00
County Health Department	12,750.00
County Library	19,175.00
Bonding County Officers	1,500.00
Vital Statistics	400.00
Telephone and Telegraph	3,000.00
Special Contingent	40,000.00
Georgetown County Planning and Development Commission	15,000.00
County Home Dem. Agent, Col., Travel	950.00
Clerk to County Home Dem. Agent, Col.	1,200.00
Workmen's Compensation Insurance	2,500.00
Retirement Fund and Social Security	25,000.00
Hq. and Hq. Btry., 4th How. Bn 178th Arty., Georgetown	1,000.00
A Btry, 4th Rkt. Bn 178th Arty., Andrews	1,000.00
Chairman, Board of Registration, Salary	2,200.00
Clerk, Board of Registration, Salary	700.00
Radio Maintenance	1,000.00
Assistant Health Inspector	1,750.00
Probation Officer—Travel	650.00
Clerical Help, Circuit Court Judge	3,200.00
Clerical Help, Probation Officer	700.00

County Publicity and Promotion	10,000.00
Total	$558,304.00

SECTION 2. The deputy sheriffs shall devote their entire time to the duties of the office and shall work under the direction of, and be employed by the sheriff of the county, and shall keep daily records of their work and file same monthly in the sheriff's office.

SECTION 3. The sheriff of the county shall be allowed one dollar and twenty-five cents per day each for dieting prisoners and he shall furnish them good, wholesome food.

SECTION 4. The sheriff of the county shall work one of his deputies on Pawley's Island and Waccamaw Neck.

SECTION 5. The Senator and members of the House of Representatives from Georgetown County are hereby authorized and empowered to have a complete and thorough examination of the books and doings of all county officers of Georgetown County at least once each year, and, if they deem it necessary at any time, for the best interest of the county, that any office or officers should be investigated oftener than the regular annual investigation and auditing, they are hereby authorized and empowered and directed to contract with such certified accountant or accountants as they may deem competent and qualified at such salary, or compensation as they may fix, the same to be paid out of the funds herein appropriated for miscellaneous contingent.

SECTION 6. The special contingent fund and the fund created for costs of publicity and promotion provided for in this act shall not be expended except upon the written order of a majority of the Georgetown County Legislative Delegation, including the Senator. In the event, however, of the death or resignation of any one or more of the members of the delegation the survivors shall have the right to execute any such order.

SECTION 7. It shall be unlawful for any person to gig for fish in salt waters from the northern tip of North Island to the northern tip of Magnolia Beach during the daylight hours. Any person violating the provisions of this section, upon conviction, shall be punished by a fine of not more than one hundred dollars or imprisoned for not more than thirty days.

SECTION 8. Necessary medical service for the chain gang and other prisoners shall be provided by the board of county commissioners and charged to the proper account.

SECTION 9. The board of county commissioners shall employ janitors for the courthouse and other county offices and fix their duties. The janitors shall hold their positions and work under the direction of the board.

SECTION 10. All fees, fines and monies not otherwise provided shall go into the general county fund and show in detail by the officer or officers receiving such monies in their annual statement to the members of the legislative delegation.

SECTION 11. All salaries shall be paid in equal semimonthly installments at the middle and end of each calendar month. *Provided,* that no officer or person shall be paid for any transportation in addition to the mileage now allowed by law and the legal per diem expense now provided by law.

SECTION 12. Jurors serving in circuit courts in Georgetown County in this State shall, in addition to mileage at the rate of seven cents per mile going to and from court, receive a per diem of five dollars.

SECTION 13. Whenever warrants are drawn in the county commissioner's office or the office of the board of education on the county treasurer, a duplicate of such warrant shall be furnished the county treasurer at once. No warrant shall be honored by the county treasurer unless he is in possession of such duplicate and the same is duly itemized and shows for what issued.

SECTION 14. The forty-mile limit of Black River in Georgetown County is hereby declared to be at the mouth of Lane's Creek, and the forty-mile limit on Big Pee Dee River is hereby declared to be at the old ferry landing near Yauhannah Lake.

SECTION 15. The county board of education may sell and convey properties in Georgetown rural areas, abandoned for school purposes, for other properties; *provided,* those properties belonging to the county board do not have a value of more than two thousand dollars.

SECTION 16. The county board of commissioners is hereby authorized to employ a suitable individual as airport manager for

the county airport. The airport manager shall be the liaison between the county board of commissioners and any person who shall lease or operate the airport.

SECTION 17. The county attorney shall render assistance and represent the sheriff's office when requested in all cases before magistrates in Georgetown County at no additional cost to the county. He shall not engage in any litigation or represent any interest contrary to Georgetown County or any agency or department thereof.

SECTION 18. The board of education shall have the right to select and employ a competent attorney of its choice to represent it in all matters.

SECTION 19. The chairman of the board of registration shall be present and personally supervise the issuance of all registration certificates during those times that the registration books are open, as required by law, in the City of Georgetown.

SECTION 20. This act shall take effect upon approval by the Governor.

Approved the 19th day of June, 1965.

(R1, S8) **No. 611**

An Act To Authorize the Greenville County Board of Commissioners to Borrow Not Exceeding One Hundred Fifty Thousand Dollars for General County Purposes, and to Provide for the Payment of the Loan.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Greenville County may borrow money.—The Greenville County Board of Commissioners of Greenville County is hereby authorized to borrow for general county purposes not exceeding one hundred fifty thousand dollars from the Division of General Services. The amount borrowed shall be evidenced by a note or notes to be executed by the chairman of the board and the treasurer of the county. The note or notes shall bear interest at four per cent per annum from the date thereof and shall be payable in five successive, equal, annual installments. The first installment

shall be paid twelve months from the date of the note. *Provided,* the borrowers reserve the right to anticipate the payment of part or all of the loan on any annual installment date.

SECTION 2. Payment.—For the payment of the note or notes the auditor shall levy and the treasurer shall collect an annual tax on all of the taxable property of the county sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the county are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Payment further.—Should there be default in the payment of any installment, the State Treasurer is directed to withhold all State funds accruing to the county, which have not heretofore been pledged, for the payment of such installment and shall transmit the funds so withheld to the Division of General Services.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of January, 1965.

(R97, H1257) **No. 612**

An Act Changing The Name Of "Marietta Water District" In Greenville County To "Marietta Water, Fire, Sanitation And Sewer District".

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Name of Marietta Water District changed.—The name of "Marietta Water District" in Greenville County created by Act No. 989 of 1952 is hereby changed to "Marietta Water, Fire, Sanitation and Sewer District".

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of February, 1965.

(R100, H1173)

No. 613

An Act To Amend Act No. 1239 Of 1964, Relating To The Creation Of The Stroud Memorial Hospital District In Greenville County, So As To Redefine The Area Of The District, The Powers And Functions Of The District And Its Governing Commission, And The Purposes For Which The Bonds Of The District May Be Issued.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that it did, by Act No. 1239 of 1964, create the Stroud Memorial Hospital District in Greenville County, and did commit to it the power to acquire, construct and operate a public hospital. Prior to holding the election provided for by Section 5 of Act No. 1239 of 1964, it was found that the description of the district as contained in Section 2 did not accurately define the area intended to be included within the district, that paragraph 3 of Section 4 did not accurately define certain of the powers and duties of the commissioners of the district, and that Section 5 did not accurately state the purpose for which the bonds might be issued. It has therefore been determined that it is desirable to amend Act No. 1239 of 1964 to redefine the territory comprising the district, to redefine certain powers and duties of the commissioners of the district, and to redefine the purposes for which the bonds authorized by the act may be issued.

SECTION 2. Section 2 of Act 1239 of 1964 amended—Stroud Memorial Hospital District created—area.—Section 2 of Act No. 1239 of 1964 is amended by striking it out and inserting in lieu thereof the following:

"Section 2. There is hereby created in Greenville County the Stroud Memorial Hospital District which shall be a public corporation and shall have the functions prescribed by this act. The district shall include that area in Greenville County described as follows:

> The area comprising Stroud Memorial Hospial District includes the tax districts as shown in the Greenville County Block Book Department as numbers 350, 355, 360, 370, 375, 399, 450, 455, 460, 465, 470, 475, 480, 485, 320, 380, and 445. Said area being more clearly defined and shown on a plat entitled 'STROUD MEMORIAL HOSPITAL DISTRICT' recorded on January 8, 1965, in the R. M. C. Office for Greenville County in Plat Book JJJ, at page 9."

SECTION 3. Paragraph 3, Section 4 of Act 1239 of 1964, amended—powers and duties.—Section 4 of Act No. 1239 of 1964 is amended by striking out paragraph 3 and inserting in lieu thereof the following:

"3. To acquire, construct, equip, operate and maintain a health facility to be used in public hospitalization and nursing care;".

SECTION 4. Section 5 of Act 1239 of 1964 amended—election concerning issuance of bonds.—Section 5 of Act No. 1239 of 1964 is amended by striking it out and inserting in lieu thereof the following:

"Section 5. The Commissioners of Election for Greenville County shall make provision for the holding of a special election in the district, on a date to be fixed by the commissioners, at which time there shall be submitted to the qualified electors of the district the question of issuing bonds of the district for the purposes authorized by paragraph 16 of Section 4. The election shall be conducted by the commissioners of election who shall give notice thereof by publication once each week for three successive weeks prior thereto in one or more newspapers with general circulation in the district, stating the question to be submitted at the election and specifying the amount in dollars of the bonds proposed to be issued. The election shall be conducted in each of the several precincts of the district as they are now established by law and at the regular voting place therein, if such be within the district; otherwise, the commissioners of election shall designate a suitable voting place within such precinct. The question submitted shall show on its face the primary purpose for which the proceeds of the bond issue are to be expended. The question shall be substantially in the following form:

'Shall the Stroud Memorial Hospital District issue bonds in a sum not exceeding fifty thousand dollars, the proceeds of which shall be used to renovate existing hospital facilities, construct and equip additional hospital facilities and operate a hospital or nursing home for the district?

YES
NO'

The ballot shall contain suitable instructions, advising the voter that if he favors the issuance of bonds he shall strike through the word "NO", and that if he is opposed to the issuance of bonds he shall strike through the word "YES". The managers of election at each precinct shall count the ballots and forthwith return the result of the election,

together with the original ballots and tally sheets, to the Commissioners of Election for Greenville County, who shall declare the result of the election and certify the results to the Clerk of Court of Greenville County and the Secretary of State within ten days of the election. If the commissioners determine that a majority of the voters voting in the election voted in favor of the issuance of bonds, the bonds, or any part thereof, may be issued as provided in paragraph 16 of Section 4; but if the commissioners determine that a majority of the ballots cast in the election be against the issuance of bonds, then no bonds shall be issued. Except as herein provided, the election shall be conducted in accordance with the provisions of the South Carolina Election Law."

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of February, 1965.

(R142, H1275)

No. 614

A Joint Resolution Authorizing The Commissioners Of Parker Water And Sewer Sub-District Of The Greater Greenville Sewer District To Reimburse Mr. And Mrs. T. J. Thompson For Damages Not Exceeding Two Thousand Five Hundred Dollars.

Whereas, on March 12, 1963, Mr. and Mrs. T. J. Thompson suffered a substantial loss at their home due to a sewer line of the Parker Water and Sewer Subdistrict of the Greater Greenville Sewer District backing up into their home; and

Whereas, the Parker Water and Sewer Subdistrict Commission is unable to reimburse Mr. and Mrs. Thompson for their loss or any part thereof under the present law. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Parker Water and Sewer Subdistrict may reimburse Mr. and Mrs. T. J. Thompson.—The Commissioners of Parker Water and Sewer Subdistrict of the Greater Greenville Sewer District are hereby authorized to pay to Mr. and Mrs. T. J. Thompson a sum not to exceed two thousand five hundred dollars for damage sustained by such occurrence.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 5th day of March, 1965.

(R177, H1324) **No. 615**

An Act To Ratify, Confirm And Approve The Sale Of Certain Land By Greenville Municipal Airport Commission To Crosrol Carding Developments, Inc.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Sale of property ratified.—The sale of a lot on the southern side of Tower Drive in the City of Greenville by the Greenville Municipal Airport Commission to Crosrol Carding Developments, Inc., shown on a plat recorded in Plat Book HH at page 28 and described in a deed dated July 6, 1964, from Greenville Municipal Airport Commission to Crosrol Carding Developments, Inc. and recorded in Deed Book 753 at page 504 in the RMC Office for Greenville County, is approved, ratified and confirmed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of March, 1965.

(R225, H1409) **No. 616**

An Act To Authorize Greater Greenville Sewer District Commission To Issue General Obligation Bonds Of Greater Greenville Sewer District In The Principal Amount Of Not Exceeding Two Million Five Hundred Thousand Dollars, To Prescribe The Purposes For Which The Bonds Shall Be Used, The Terms And Conditions Upon Which The Bonds Shall Be Issued And To Make Provision For The Payment Of Such Bonds.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that Greater Greenville Sewer District (the District),

a special purpose district in Greenville County, to which is committed the function of providing main trunk line sewers and sewage disposal and treatment facilities for a large metropolitan area in Greenville County, is required to enlarge, expand and improve its facilities, in order to discharge the functions committed to it. On that basis the General Assembly has determined to empower the Greater Greenville Sewer District Commission (the Commission) to raise two million five hundred thousand dollars through the issuance of general obligation bonds of the District for those purposes.

SECTION 2. Bond issue authorized.—The Commission is fully empowered to enlarge, expand and improve its sewage collection, disposal and treatment facilities, and in order to raise moneys therefor, is hereby authorized and empowered to issue and sell general obligation bonds of the District, without the necessity of holding any election, in the principal amount of not exceeding two million five hundred thousand dollars. Such bonds may be issued as a single issue, or, from time to time, as several separate issues.

SECTION 3. Maturity.—All bonds issued pursuant to this act shall mature in such annual series or installments as the Commission shall provide, except that the first maturing bonds of any series shall mature within three years from the date of issue; not less than two per cent of the bonds shall mature in each year; and no bond of any series shall mature later than thirty years from the date of issue.

SECTION 4. Redemption.—Any bond issued pursuant to this act may be issued with a provision permitting its redemption prior to its stated maturity, at par and accrued interest, plus such redemption premium as may be prescribed by the Commission, but no bond shall be redeemable prior to its stated maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of such bonds, provision shall be made specifying the manner of call and the notice thereof that must be given as to bonds made redeemable prior to their stated maturities.

SECTION 5. Form.—The bonds issued pursuant to this act shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered, as to principal on the books of the Treasurer of Greenville County, upon such conditions as the Commission may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

SECTION 6. Where payable.—The bonds issued pursuant to this act shall be made payable at such place or places, within or without the State as the Commission shall provide.

SECTION 7. Interest.—Bonds issued pursuant to this act shall bear interest at rates determined by the Commission.

SECTION 8. Denominations.—The bonds and the coupons to be thereunto attached shall be in such denomination and shall be executed in such manner as the Commission shall by resolution prescribe.

SECTION 9. Sale.—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina, and in a financial publication published in the City of New York, New York. Such published notice shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 10. Payment.—For the payment of the principal and interest of all bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the District shall be irrevocably pledged, and there shall be levied annually by the Auditor of Greenville County, and collected by the Treasurer of Greenville County, in the same manner as county taxes are levied and collected, on all taxable property in the District, a tax sufficient to pay the principal and interest of the bonds as they respectively mature and create such sinking fund as may be necessary therefor.

SECTION 11. Exempt from taxes.—The principal and interest of bonds issued pursuant to this act shall have the tax exempt status prescribed by Section 65-4.1, Code of Laws of South Carolina, 1962.

SECTION 12. Proceeds.—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of Greenville County, to be deposited in a bond account for the District, and shall be expended and made use of as follows:

(a) Any accrued interest shall be applied to the payment of the first instalment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first instalment of principal of such bonds.

(c) The remaining proceeds shall be expended, upon the warrant or order of the Commission, for the following purposes:

(i) To defray the costs of issuing the bonds authorized by this act; and

(ii) To defray the costs of extending, enlarging and improving the sewage collection, disposal and treatment facilities of the District, in the manner contemplated by Section 2 of this act.

(d) If, after the final completion of the Commission's program, the Commission shall certify to the Treasurer of Greenville County that any remaining balance in the Bond Account is no longer needed for its program, then such balance shall be held by the treasurer and used to effect the retirement of bonds then outstanding, which shall have been issued pursuant to this act.

SECTION 13. Powers to be additional.—The powers and authorizations hereby conferred upon the Commission shall be in addition to all other powers and authorizations previously vested in the Commission and may be availed of pursuant to action taken at any regular or special meeting of the Commission, except that authority to issue bonds by reason of previous enactments of the General Assembly not made use of on the occasion of the effective date of this act shall be deemed to have lapsed and to be of no further force and effect.

SECTION 14. No further action required.—No action other than that prescribed in this act need be taken to effect the issuance of the bonds herein authorized, nor shall the Commission be required to obtain the approval of any public agency to any action taken pursuant to the authorizations of this act.

SECTION 15. No time limit for issuance of bonds.—The authorizations granted by this act shall remain of full force and effect until they shall be rescinded by subsequent enactment, and no time limit is set for the issuance of bonds pursuant to this act.

SECTION 16. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of March, 1965.

(R277, H1505)

No. 617

An Act To Amend Act No. 1099 Of 1958, As Amended, Relating To Taylors Water And Sewer District In Greenville County, So As To Add Additional Territory And To Provide For Issuance Of General Obligation Bonds Not To Exceed Twenty-Five Thousand Dollars Without An Election.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 1 of Act 1099 of 1958 amended—area.— Section 1 of Act No. 1099 of 1958 is amended by adding at the end thereof the following: "The following described area shall be included and also be a part of the District: Beginning at the existing Taylors Water and Sewer District line at a point 200 feet northwest of the intersection of Stephenson Avenue and South Carolina Highway No. 38; running thence along a line which is 200 feet north of and parallel to South Carolina Highway No. 38, 3,695 feet to a point which is 200 feet west of the intersection of South Carolina Highway No. 38 and St. Mark's Road; thence 250 feet in a northeasterly direction to a point that is 200 feet north of St. Mark's Road; thence along a line which is 200 feet north of and parallel to St. Mark's Road, crossing Piedmont and Northern Railroad, 2,275 feet to a point; thence along a line which is 400 feet southeast and parallel to Bridge Road, 1,090 feet to a point; thence north 78 degrees and 52 minutes east, 235 feet to a point which is 200 feet south of Bridge Road; thence along a line which is 200 feet south of and parallel to Bridge Road, 1,470 feet to the center line of Enoree River; thence along the center line of Enoree River in a westerly direction, 3,410 feet to the center line of South Carolina Highway No. 38; thence along the center line of South Carolina Highway No. 38, in a southerly direction 680 feet to the property line of Stephenson Memorial M E Church; thence with line of Church, south 69 degrees and 38 minutes east, 188 feet; thence still with line of Church, south 20 degrees and 5 minutes west, 175 feet; thence north 69 degrees and 55 minutes west, 190 feet to the center line of South Carolina Highway No. 38; thence with the center line of South Carolina Highway No. 38, 1,210 feet to the center line of School Street; thence with the center line of School Street, 550 feet to the right-of-way of the Southern Railroad; thence with said Railroad right-of-way, 450 feet to existing District line in center line of Stephenson Avenue; thence with the

existing District line, in a northwesterly direction, 620 feet to the point of beginning."

SECTION 2. Bond issue authorized.—(1) Taylors Water and Sewer District Commission (the commission) is hereby authorized to issue on behalf of Taylors Water and Sewer District (the district) not exceeding twenty-five thousand dollars of general obligation bonds of the district whose proceeds shall be used to defray the cost of constructing water lines within the newly annexed area, without the necessity of holding an election. The term construct shall embrace the cost of direct construction, the cost of all land, property, rights, easement and franchises acquired, which are deemed necessary for such water lines, cost of all machinery and equipment needed therefor, payments to contractors, laborers or others for work done or material furnished, financing charges, cost of engineering services, legal services, legal expenses and such other expenses as may be necessary or incident for the construction of the water mains.

(2) The bonds shall be issued as a single issue or from time to time as several separate issues. They shall bear such date as the commission shall determine. The bonds of any issue shall mature in such equal or unequal annual installments as may be determined by the commission. They shall be made payable at such place as the commission shall prescribe and shall bear interest at such rate payable in such manner as the commission may determine. The bonds may be registered with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Greenville County and the principal thus made payable to the registered holder (unless the last registered transfer shall have been to bearer), upon such conditions as the commission may prescribe. Any bond issued pursuant to this act may be made subject to redemption prior to the stated maturity on such terms and conditions with such redemption premium as the commission shall prescribe. The bonds may be sold at public or private sale on such terms and conditions as the commission shall determine. The bonds and all interest to become due thereon shall have the tax exempt status as prescribed by Section 65-4.1, Code of Laws of 1962.

(3) The bonds shall be executed in the name of Taylors Water and Sewer District by the chairman of the commission and by the Treasurer of Greenville County under the seal of the district. The coupons attached to the bonds may be authenticated by the facsimile signatures of the chairman and the Treasurer of Greenville County who are in

office on the date of such bonds. The delivery of any bonds so executed and authenticated shall be valid, notwithstanding any changes in officers occurring after such execution or authentication.

(4) There shall be irrevocably pledged for the payment of the bonds and interest, as they mature, the full faith, credit and resources of the district and the Auditor and Treasurer of Greenville County, respectively, are hereby authorized and directed to levy and collect annually a tax upon all taxable property within the district sufficient to pay the bonds and interest as they respectively mature, and to create such sinking fund as may be necessary for the redemption of the bonds and interest at their respective maturities.

(5) The proceeds derived from the sale of the bonds shall be deposited with the Treasurer of Greenville County in a separate and special fund and shall be expended upon the warrants or orders of the commission for the purposes specified herein, and no others except that any premium received shall be deposited with the Treasurer of Greenville County and by him applied to the first installment of principal becoming due on the bonds, and any accrued interest received shall be applied by the treasurer of the county to the first installment of interest becoming due on the bonds. Neither the purchasers of the bonds, nor any subsequent holders thereof, shall be responsible for the proper application of the proceeds of sale.

SECTION 3. Powers to be additional.—The powers and authorizations hereby conferred upon the commission shall be in addition to all other powers and authorizations previously vested in the commission and may be availed of pursuant to action taken at any regular or special meeting of the commission.

SECTION 4. No further action required.—No election is prescribed as a condition precedent to the issuance of bonds pursuant to this action and no action other than that prescribed herein need be taken to effect the issuance of the bonds herein authorized, nor shall the commission be required to obtain the approval of any public agency to any action taken pursuant to the authorizations of this act.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of April, 1965.

(R298, S233)

No. 618

An Act To Ratify The Action Of The County Board Of Commissioners Of Greenville County In Issuing An Aggregate Total Amount Of Six Hundred Thousand Dollars Of Bonds Authorized By Acts Nos. 1241 And 1243 Of 1964, And To Declare Such Bonds Valid And Binding Obligations Of Greenville County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that it did by Act No. 1241 of 1964 authorize the County Board of Commissioners of Greenville County (the board) to issue not exceeding two hundred fifty thousand dollars of general obligation bonds of Greenville County for the purpose of defraying a part of the cost of obtaining a suitable site and constructing and equipping a public health center; and that by Act No. 1243 of 1964 it did authorize the board to issue not exceeding three hundred fifty thousand dollars of general obligation bonds of Greenville County for the purpose of providing funds for the Greenville County Commission for Technical Education to defray the cost of enlargement of the existing technical education facilities, of additional equipment and further land for use in connection with the expanded facilities.

The General Assembly further finds that, acting pursuant to such authorizations, the board has made provision for the issuing of the bonds but, in order to reduce the cost of issuing them, has combined them into a single issue and by reason thereof it is desirable that the General Assembly validate such action.

SECTION 2. Bond issue validated.—The action of the board in issuing the two issues of bonds described in Section 1 as a single issue is hereby validated and confirmed in all respects and such bonds, when issued, are declared valid and binding obligations of Greenville County, payable both as to principal and interest from an ad valorem tax to be levied upon all taxable property in Greenville County without limitation as to rate or amount.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1965.

(R390, H1652)

No. 619

An Act To Permit The Commissioners Of Greater Greenville Sewer District To Accept A Portion Of Gantt Water And Sewer District.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly of South Carolina finds that a portion of the Gantt Water and Sewer District, a special service district in Greenville County, has been declared by the South Carolina Health Department to be a critical area with reference to sewage disposal and, unless provisions are soon made, the general health of the residents of the area will be greatly endangered. The General Assembly has provided for a bond issue, the funds of which are to be used to correct the critical sewerage situation prevailing in portions of the Gantt Water and Sewer District. It has been ascertained that it is not practical for the Gantt Water and Sewer District to construct trunk lines for is sewerage system, but that the more practical procedure would be for the Gantt Water and Sewer District to connect its sewerage lines with the trunk lines of the Greater Greenville Sewer District.

SECTION 2. Greater Greenville Sewer District may accept portion of Gantt Water and Sewer District.—The Greater Greenville Sewer District is hereby authorized to accept into the district any portion of the Gantt Water and Sewer District upon a petition by Gantt Water and Sewer District Commissioners addressed to the Commissioners of Greater Greenville Sewer District, the petition to be accompanied by a recent survey of the area covered by the petition. If the Greater Greenville Sewer District approves the petition, thereby agreeing to accept the area into the district, the Greater Greenville Sewer District Commissioners shall notify Gantt Water and Sewer District Commissioners in writing of their action and the terms and conditions of the acceptance.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of May, 1965.

(R499, H1667) **No. 620**

An Act To Amend Act No. 559 Of 1951, Relating To Mauldin-Simpsonville-Fountain Inn Water District Commission, So As To Enlarge And Further Define Its Powers.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that it did by Act No. 559 of the Acts of 1951 create the Mauldin-Simpsonville-Fountain Inn Water District (the District) and did commit to the Board of Commissioners of the Mauldin-Simpsonville-Fountain Inn Water District (the Commission) the function of constructing and thereafter operating, improving and enlarging a waterworks system for the District. The District includes the incorporated towns of Mauldin, Simpsonville and Fountain Inn, which, by reason of the service afforded by the District, do not operate and maintain water systems within their corporate limits.

It has now found that one or more municipalities within the District may undertake the construction or enlargement of sewage collection, disposal and treatment facilities, for which a service charge will be imposed. It is proposed that such charge be collected by the Commission for such towns under a contract mutually agreeable, which would obligate the Commission to collect, as a part of the bill rendered by Commission for water service, the sewer charge to be imposed by the municipality, and that both the Commission and the contracting municipality will require all those who utilize both water and sewer service to pay the bill for such services as an entirety, with the right to discontinue water service of all who fail to pay the combined bill for water and sewer services.

The General Assembly, therefore, proposes to enlarge the powers of the Commission in order that it may enter into such contracts with municipalities within the District, and in order that it may perform the obligations assumed under such contracts.

SECTION 2. Act 559 of 1951 amended—Section 4A added—additional powers.—Act No. 559 of 1951 is amended by adding thereto the following which shall be Section 4A:

"Section 4A. In addition to all other powers, the Commission is authorized to enter into contracts with any municipal corporation within the District in which the Commission furnishes water service, on terms, conditions and for compensation, to be mutually agreed

upon, by which the Commission shall become the agent of such municipal corporation for the purpose of collecting such charges as the municipal corporation shall from time to time impose upon those who utilize its sewage disposal facilities, and by which the Commission as such agent shall be empowered to disconnect service upon failure of any user to pay such charges. The Commission is likewise fully authorized and empowered to discharge all undertakings assumed by it in any such contract."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of June, 1965.

(R519, S404) **No. 621**

An Act To Make Provision For The Establishment Of Sewer Service In A Portion Of The Special Purpose District In Greenville County Now Known As Berea Water And Sewer District; To Provide That Such Portion Shall Become A Part Of Greater Greenville Sewer District And A Subdistrict Of Greater Greenville Sewer District; To Provide A Governing Commission For The Subdistrict And To Define Its Powers; To Provide For The Issuance Of Not Exceeding Three Million Dollars Of Bonds Of Berea Sewer Subdistrict; To Authorize The Issuance Of Bonds Of Greater Greenville Sewer District To Provide Funds With Which To Purchase Bonds Of Berea Sewer Subdistrict; To Describe The Terms And Conditions Under Which The Bonds May Be Issued, The Purposes For Which Their Proceeds May Be Expended; To Make Provision For Their Payment; To Remove From The Functions Of Berea Water And Sewer District The Function Of Providing Sewer Service Therein; And To Change The Name Of Berea Water And Sewer District To Berea Public Service District.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds as follows:

1. Greater Greenville Sewer District (Greater Greenville) is a special purpose district in Greenville County created pursuant to Act

No. 362 of 1925. This district has for many years provided trunk line sewer service within its service area. Situate within Greater Greenville are several so-called subdistricts which provide sewer laterals or collector lines which in turn utilize the trunk line sewer service of Greater Greenville.

2. Berea Water and Sewer District (Berea) is a special purpose district adjacent to Greater Greenville created by Act No. 848 of 1954. Berea furnishes water service throughout the district by means of its water distribution system and also provides fire protection therein. It has never undertaken to furnish sewer service anywhere within the district.

3. Berea has recently caused a study to be made to determine the extent to which the district requires sewer service. The study indicates that there are two natural drainage areas in Berea. The one bordering on Greater Greenville is in dire need of sewer service. The second lying beyond Greater Greenville is less populated and, due to its situation in a different drainage area, it is neither practical nor essential that sewer service be provided therein. Act No. 848 of 1954 contemplated that any sewer service rendered in Berea would be paid for by a tax on all taxable property in the district; it is now determined that it would be inequitable to tax that portion of Berea lying in a drainage area different from that which is adjacent to Greater Greenville for sewer service which it would not receive.

4. It is recognized that the cost of providing a sewer service for the area of Berea next adjacent to Greenville will require a substantial outlay of funds with resulting increase in taxation in addition to other charges made for sewer service upon those who receive such service. For this reason it has been found that it is not practical that Berea provide sewer service anywhere within Berea.

5. Greater Greenville is in a position and has the means with which to extend its trunk line sewer service to connect with any system of collector lines or lateral sewers which would be constructed within that portion of Berea described in Section 2 infra. Greater Greenville is also empowered to lend its credit to any of its subdistricts by purchasing bonds issued by its subdistricts with funds raised by bonds issued by itself. Greater Greenville has established credit and its securities would thus bear lower rates of interest than securities of its subdistricts.

6. On the basis of the foregoing, the following plan has been determined upon.

a. The function of providing sewer service in Berea should be taken from Berea and the name of the district changed from Berea Water and Sewer District to Berea Public Service District.

b. That portion of Berea described in Section 2 shall be annexed to Greater Greenville for main trunk line sewer purposes and shall also become a subdistrict of Greater Greenville. Its governing body, hereinafter provided for, shall consist of those who from time to time shall constitute the Berea Commission (the commission) and who shall, ex officio, function as the governing agency of the Berea Sewer Subdistrict. In determining that the Berea Commission shall also act as the governing agency of Berea Sewer Subdistrict the General Assembly has taken into consideration the fact that the Berea Commission has, in the exercise of functions granted to it, concerned itself with the development of plans for sewer service within Berea. It is further mindful of the fact that notwithstanding the removal from Berea of the function of providing sewer service, Berea will continue to function in providing other public services, and will continue to concern itself with the need for sewer service elsewhere within Berea and will thus be able to better ascertain when the need for sewer service elsewhere within Berea may arise and under what circumstances it will prove practical to provide sewer service in such areas.

c. Greater Greenville shall provide trunk line sewer service for the subdistrict.

d. Greater Greenville shall issue its bonds to the extent necessary but within the limitations of this act to provide funds which shall be used to purchase bonds of the subdistrict to be issued by the Berea Water and Sewer District Commission (the Berea Commission).

e. The Berea Commission shall issue bonds in principal amount equal to the amount of bonds issued by Greater Greenville which shall bear the same rate of interest as the bonds of Greater Greenville which shall mature on such occasions as shall be prescribed by the Greater Greenville Sewer District Commission (the Greater Greenville Commission). The maturity dates shall be so arranged as to insure Greater Greenville the availability of sufficient funds to meet the payment of its own bonds.

SECTION 2. Portion of Berea to be part of Greater Greenville—powers and duties.—Effective as of July 1, 1965, the following portion of Berea shall become a part of Greater Greenville and as such be entitled to all benefits and shall assume pro rata its share of all liabilities now existing or hereafter incurred by Greater Greenville:

BEGINNING in centerline White Horse Road at a point 200′ north of intersection of the road with Broadway Drive; thence a southwesterly direction parallel with and 200′ from centerline of Broadway Drive to a point 200′ across Saluda Dam Road; thence parallel with and 200′ from centerline Saluda Dam Road in a southeasterly direction to intersection of the road with White Horse Road; thence along with White Horse Road 200′ parallel to centerline in a southerly direction to point 200′ northwest of Banner Drive; thence a southwesterly direction parallel with and 200′ from centerline Banner Drive to point on the right of way of Southern Railway System; thence crossing said railroad right of way at right angles to a point on southern edge of railroad right of way which point is also on the boundary of Berea Water & Sewer District; thence a southeasterly direction following the District along its eastern side to a point on Long Forest Drive, this point 3000′ from intersection of Long Forest Drive and Old Buncombe Road; thence N68-30W 344.2′; thence N32-06E 550′; thence N31-22E 862.5′; thence N68-45W 1,163′; thence S55-00W 967′ to a point on Reedy River, this point being 180′ north of Sharon Drive and in existing Berea Water & Sewer District line; thence following existing District line to Montague Road; thence N31-30W 546′; thence N16-49W 1,181′; thence N16E 495′; thence N33-45W 136.6′; thence S86-30W 168.3′; thence N33-45W 264′; thence N47-45W 198′; thence N33W 139.9′; thence N34W 271.9′; thence N82-29W 320.6′; thence N82-30W 62′; thence N65-34W 180.8′; thence N87W 215.1′; thence S88-04W 368.9′; thence S27-30W 2,736.4′ to a point in centerline of White Horse Road 145′ north of its intersection with Hunts Bridge Road; thence centerline of White Horse Road in a southerly direction to the point of beginning.

The area shall also become a sewer subdistrict of Greater Greenville. It is hereby designated as Berea Sewer Subdistrict and shall be so referred to. In order to provide a governing agency for Berea Sewer Subdistrict the General Assembly constitutes those who from time to time shall constitute the Berea Commission, as ex officio, the governing agency of Berea Sewer Subdistrict. Its action in this respect is based upon its findings set forth in subparagraph (b) of paragraph

6 of Section 1. As such the Berea Commission shall have all of the powers granted by Section 3 of Act 848 of 1954 which are germane to the construction, operation, and maintenance of a sewer system within Berea Sewer Subdistrict, applicable thereto, except that its right to issue general obligation bonds shall be controlled by this act and subsequent enactments of the General Assembly. In addition to such powers the commission shall have the following powers:

1. To provide that charges for sewer service may be added to and combined with charges made for water service and that, upon failure to pay the entire bill, water services may be disconnected. The Berea Commission shall be fully empowered to delegate the power granted to it by this paragraph to any other public agency which may now or hereafter collect water bills in the Berea Sewer Subdistrict.

2. To prescribe that any charges made for a sewer connection or for sewer services shall become a lien on the property affected; *provided,* however, that prior to such action not less than ten days' written notice shall be given to each affected owner, notifying him of the nature and quantum of the charge, and providing the property owner an opportunity, if desired and requested, to appear and be heard in person or by counsel, before the Berea Commission. Following such hearing, if such be requested and held, action shall be taken by the Berea Commission, and notice of its decision shall be given to the property owner concerned, or his counsel as the case may be, not less than ten days prior to the effective date thereof. Any property owner aggrieved by the action of the commission may proceed by certiorari in the Court of Common Pleas for Greenville County to have the court review the action taken by the Berea Commission, at which time the court shall determine the validity and reasonableness of the charge so made. Fees or charges not intended to become liens in the case of nonpayment can be imposed and subsequently increased upon any user in the district without notice and hearing. If the notice prescribed by this paragraph shall have been given and any hearing requested shall have been held, all tapping fees, service charges and other charges imposed by the Berea Commission and not paid when due and payable, shall be and constitute a lien upon the real estate to which the sewer service concerned relates, so long as the fees or charges remain unpaid. In addition to such other rights and remedies as may be available to the Berea Commission in law or in equity for collection of the fees and charges, the lien may be enforced by the Berea Commission in the same manner and fashion as the lien for

property taxes upon real estate. The method provided in this paragraph for the enforcement of the collection of past due sewer charges by creating them liens against real property shall not be the exclusive method of enforcing such collections and the Berea Commission is fully empowered to enforce the collection of any such charges in any other lawful manner in all or in any part of the Berea Sewer Subdistrict.

3. (a) To provide by resolution that the actual cost of the establishment and construction of any lateral collection sewer lines constructed by the commission within the district and any extensions thereof, or so much of the actual cost thereof as the commission in its discretion deems appropriate, shall be assessed upon the lots and parcels of land abutting directly on such lateral lines or extensions thereof according to the extent of the respective frontage thereon, by an equal rate per foot of such frontage, and may in its discretion provide in the case of corner lots, for an assessment only upon one of the two corner lines. The commission may provide in such resolution that the front foot assessments to be levied in connection with such work may be paid in equal installments covering a period of not exceeding ten years. The resolution providing for such front foot assessments shall designate by a general description the improvement to be made and the street or streets or parts thereof whereon the work is to be effected and the estimated cost thereof and the amount of the cost to be assessed upon all abutting property and the terms and manner of payment. The resolution shall not become effective until at least seven days after it shall have been published in a newspaper of general circulation in the district published in Greenville County. The resolution may incorporate by reference plats and engineering reports and other data on file in the commission's office provided that the place of filing and reasonable hours for inspection by interested persons are specified in the resolution.

(b) Upon the completion of the construction of any sewer laterals or any extensions thereof the commission shall compute and ascertain the total cost thereof and shall thereupon make an assessment of such total cost or so much thereof as it deems appropriate. For that purpose the commission shall make out an assessment roll in which must be entered the names of the persons assessed and the amount assessed against their respective properties with a brief description of the lots or parcels of land assessed.

(c) Immediately after such assessment roll has been completed the commission shall forthwith cause one copy thereof to be deposited in the commission's office for inspection by interested parties, and shall cause to be published at least once in a newspaper of general circulation within the district a notice of completion of the assessment roll setting forth a description in general terms of the improvement and the time fixed for the meeting of the commission for a hearing of objections in respect of the front foot assessments; such meeting not to be earlier than ten days from the date of the publication of such notice.

(d) As soon as practicable after the completion of the assessment roll and prior to the publication of the notice above-mentioned in paragraph (c) the commission shall mail to the owner of each lot or parcel of land against which a front foot assessment is to be levied at his address appearing in the records of the county treasurer, a notice stating the nature of the improvement, the total cost thereof, the amount to be assessed against that particular property and the frontage in feet upon which the front foot assessment is based, together with the terms and conditions upon which the front foot assessment may be paid. This notice shall also contain a brief description of the particular property involved together with a statement that the amount assessed shall constitute a lien against the property superior to all other liens except property taxes. The notice shall also state the time and place fixed for the meeting of the commission above-mentioned for a hearing of objections in respect of the front foot assesssments. Any property owner who fails, not later than three days prior to the date set for such meeting, to file with the commission a written objection to the front foot assessment against his property shall be deemed to have waived all rights to object to such front foot assessment; and the notice prescribed herein shall so state.

(e) At the time and place specified for the meeting above-mentioned, or at some other time to which it may adjourn, the commission shall hear the objections of all persons who have filed written notice of objection within the time prescribed above who may appear and make proof in relation thereto either in person or by their attorney. The commission may thereupon make such corrections in the assessment roll as it may deem proper or may confirm the same, or may set it aside and provide for a new assessment. Whenever the commission shall confirm an assessment roll, either as originally prepared or as thereafter corrected, a copy thereof certified by the secretary of the

commission shall forthwith be filed in the office of Clerk of Court of Common Pleas of Greenville County and from the time of such filing the front foot assessments impressed in the assessment roll shall constitute and be a lien on the real property against which the same are assessed superior to all other liens and encumbrances except only the lien for property taxes.

(f) After the assessment roll has been confirmed a certified copy thereof shall be delivered to the Treasurer of Greenville County who shall proceed to collect the same in the manner of county taxes and shall remit such collections upon the direction of the commission. Past due front foot assessments shall be turned over by the treasurer to the Sheriff of Greenville County who shall proceed to collect them in the same manner as unpaid county taxes are collected.

(g) Immediately upon the confirmation of an assessment the commission shall give written notice by mailing to the last known address according to the records of the commission to all persons who have filed written objections as provided of the amount of the front foot assessment finally confirmed against his property. If any such person is dissatisfied with the amount of the front foot assessment so confirmed and shall within ten days after the confirmation give written notice to the commission of his intent to do so, he may appeal his front foot assessment to the Court of Common Pleas for Greenville County and shall within five days after giving such notice serve upon the commission a statement of facts upon which he bases his appeal; but no such appeal shall delay or stop the improvements or affect the validity of the front foot assessments confirmed and not appealed. The appeal shall be tried at the next term of court as other actions at law with priority over all other cases.

(h) The commission may correct, cancel or remit any such front foot assessment and may remit, cancel or adjust the interest or penalties of any such front foot assessment and is empowered when in its judgment there is any irregularity, omission, error or lack of jurisdiction in any of the proceedings relating thereto set aside the whole of any assessment made by it and thereupon to make a reassessment.

(i) In the event the commission provides that such front foot assessments may be paid in equal annual installments, then in that event any property owner shall have the option and privilege of paying his respective front foot assessments in full in cash provided

he gives notice of his intent to do so in writing to the commission within thirty days after the notice prescribed in paragraph (d). If no such notice of intent is given within the thirty day period the front foot assessment shall be deemed to be due and payable in the equal annual installments prescribed by the commission and shall bear interest at the rate of four per cent per annum from the date of the confirmation of the assessment roll, payable with such annual installment. Any property owner shall have the right at any time in his option to prepay in full the front foot assessment against his property by the payment of the balance due plus interest calculated to the date of prepayment. If any property owner shall fail or neglect to pay any installment when it becomes due and payable, then and in that event the commission may, at its option, declare all of the installments remaining unpaid at once due and payable and such property shall be sold by the Sheriff of Greenville County in the same manner and with the same right of redemption as are prescribed by law for the sale of land for unpaid county taxes.

Provided, that if a general law shall be enacted making provision for the levy of front foot assessments to meet any portion of the cost of installing sewer laterals, then in such event the power to impose front foot assessments for sewer laterals shall be effected through the means of and in accordance with the general law, and the power herein granted to the Berea Commission by the provisions of this paragraph 3 shall be superseded and no longer of force and effect.

SECTION 3. Bond issue authorized for construction of sewer lines.—To provide funds for the construction of lateral or collector sewer lines sufficient to provide for sewer collection service throughout Berea Sewer Subdistrict, the Berea Commission shall be empowered to issue as a single issue or from time to time as several separate issues not exceeding three million dollars of general obligation bonds of Berea Sewer Subdistrict. The bonds shall be of such denomination (including a single fully registered bond) as the Greater Greenville Commission shall prescribe. The bonds shall bear interest at such rate as Greater Greenville Commission shall prescribe (not exceeding the rates of interest borne by the bonds of Greater Greenville authorized by Section 4), and shall have such form, tenor, terms and conditions as shall be agreed upon by the Berea Commission and Greater Greenville Commission.

For the payment of all bonds of Berea Sewer Subdistrict issued pursuant to this act there shall be irrevocably pledged for the payment of the bonds and interest, as they mature, the full faith, credit and resources of the Berea Sewer Subdistrict, and the Auditor and Tax Collector of Greenville County, respectively, are hereby directed to levy and collect annually a tax upon all taxable property within the district, sufficient to pay the bonds and interest as they respectively mature, and to create such sinking fund as may be necessary for the redemption of the bonds and interest at their respective maturities. The bonds may be additionally secured by a pledge of any revenues which the Berea Sewer Subdistrict may derive from sewer charges, and by the proceeds of any front foot assessments levied against abutting property to which sewer laterals or collector lines shall have been constructed with the proceeds of bonds issued pursuant to this act.

In such event, the revenues as shall be available shall be delivered to the Treasurer of Greenville County, prior to the occasion when the auditor fixes the annual levy. The annual ad valorem tax herein directed to be levied may be reduced in each year by the amount of revenues derived from such sources actually in the hands of the Treasurer of Greenville County at the time the tax for the year is required to be levied, and the tax may be entirely suspended for any year in case the moneys on hand are sufficient to pay both principal and interest then due or falling due in the year and remaining unpaid.

SECTION 4. Greater Greenville Commission may purchase or issue bonds.—1. If the Greater Greenville Commission shall determine that bonds of the Berea Sewer Subdistrict cannot be sold at a reasonable rate of interest, it may purchase such bonds at the same rate of interest that it is required to pay upon the bonds of Greater Greenville authorized by this act. In order to provide funds which will enable Greater Greenville to purchase all or any part of the bonds of Berea Sewer Subdistrict authorized by this act, Greater Greenville Commission shall be empowered to issue general obligation bonds of Greater Greenville to such extent as may be necessary therefor, but not in excess of the aggregate principal of bonds issued on behalf of Berea Sewer Subdistrict.

2. For the payment of the bonds of Greater Greenville Sewer District, both principal and interest, as they respectively mature,

the full faith, credit, resources and taxing power of Greater Greenville Sewer District shall be pledged, and there shall be levied and collected by the auditor and tax collector of Greenville County, respectively, an ad valorem tax upon all taxable property in the Greater Greenville Sewer District without limitation as to rate or amount, sufficient to pay the principal and interest on the bonds as they respectively mature, and to create such sinking fund as may be necessary for the redemption of the bonds and interest at respective maturities. The taxes, when so levied and collected, shall be held by the Treasurer of Greenville County separate and distinct from all other funds and used solely for the purposes for which levied and collected under the terms of this act. The annual ad valorem tax herein directed to be levied may be reduced in each year by the amount of moneys received by Greater Greenville upon the bonds of Berea Sewer Subdistrict which are actually in the hands of the Treasurer of Greenville County at the time the tax for the year is required to be levied, and the tax may be entirely suspended for any year in case the moneys on hand are sufficient to pay both principal and interest then due or falling due in such year and remaining unpaid.

SECTION 5. Denominations and maturity.—All bonds issued pursuant to this act shall be in such denomination or denominations and shall mature in such annual series or installments as the governing commission of the district issuing bonds shall provide.

SECTION 6. Redemption.—Bonds issued pursuant to this act may be issued with provisions for their redemption prior to their stated maturities at par and accrued interest, plus such redemption premium as may be prescribed by the applicable governing commission, but no bond shall be redeemable before maturity unless it contains a statement to that effect. In the proceedings, providing for the issuance of each issue, provision shall be made specifying the extent to which bonds of such issue are redeemable, the occasions of redemption, and the notice thereof that must be given.

SECTION 7. Form.—Bonds issued pursuant to this act may be either (a) in the form of negotiable coupon bonds, payable to bearer, with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Greenville County, and the principal thus made payable to the registered holder, unless the last registered transfer shall have been to bearer, or (b) in

the form of a single fully registered bond. Unless registered, such bonds shall have all the qualities of negotiable instruments under the law merchant and the negogtiable instruments law.

SECTION 8. Where payable.—Bonds issued pursuant to this act shall be payable at such places, within or without the State, as the issung commission shall provide.

SECTION 9. Interest.—Bonds issued pursuant to this act shall bear interest at rates prescribed by the issuing commission.

SECTION 10. Execution.—Bonds issued pursuant to this act and the coupons annexed thereto, if any, shall be executed in the manner provided for by the issuing commission.

SECTION 11. Sale.—Except for bonds of Berea Sewer Subdistrict which are sold to Greater Greenville, bonds issued pursuant to this act shall be sold at public sale, after advertisement in a newspaper having general circulation in the State, or in a financial publication published in the city of New York, or, in the discretion of the issuing commission, in both publications. The advertisement shall appear not less than ten days prior to the occasion set for such sale. The bonds may be disposed of at private sale if there are no bids received or if all bids are rejected. The provisions of this section shall not prevent a sale at private sale to the United States of America or any agency thereof.

SECTION 12. Price.—All bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of delivery.

SECTION 13. Exempt from taxes.—Bonds issued pursuant to this act and all interest to become due thereon shall be exempt from all State, County, Municipal, School District and other taxes or assessments, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise.

SECTION 14. Proceeds.—The proceeds derived from the sale of bonds issued pursuant to this act shall be deposited with the Treasurer of Greenville County in a separate and special fund and shall be expended upon the warrants or orders of the governing commission of the particular district for the purposes for which the bonds are issued, provided always that the purchasers of any bonds, or any subsequent holders thereof, shall be in no wise responsible for the proper appli-

cation of such proceeds. *Provided,* that pending the use of proceeds of the bonds to meet the costs to be incurred for the purposes for which such bonds are issued, the proceeds of the bonds shall, at the direction of the appropriate commission and to the extent prescribed by such commission, be invested and reinvested in obligations of the United States or of agencies thereof having a stated maturity of not exceeding twelve months from the date of such investments. The commission may employ the services of the trust department of any bank having an office in Greenville County to assist it in effecting the investments, and if such action shall be taken by the commission, the Treasurer of Greenville County shall, on the order of the commission, deliver to the bank the proceeds of the bonds to the extent ordered by the commission.

All income realized from such investments after meeting any costs incident thereto shall be from time to time turned over to the Treasurer of Greenville County and by him applied to the payment of interest to become due on the bonds, but the provisions hereof shall in no way limit or impair the directives of this act made, requiring the Auditor and Tax Collector of Greenville County to levy and collect sufficient taxes to meet the payment of principal and interest of such bonds as they respectively mature, and any reduction in the tax levy, resulting from income so received, shall take place only after the actual receipt by the treasurer of the proceeds of the investment income. Whenever investments made shall be reconverted into cash, the principal proceeds of any such investment shall be returned to the Treasurer of Greenville County and by him applied in accordance with the provisions of this act.

If any balance remains from the principal proceeds of the bonds, it shall be held by the Treasurer of Greenville County in a special fund and used to effect the retirement of bonds authorized hereby.

SECTION 15. Powers of Berea Commission.—The function heretofore granted to the Berea Commission of providing sewer service within Berea is hereby removed, but it shall be the duty of the Berea Commission to continue studies and surveys necessary to determine when sewer service for other parts of the Berea District as constituted by Act No. 848 of 1954 become necessary, and the Berea Commission shall continue to exercise all other powers granted to it by Act No. 848 of 1954. The provisions of this act shall not be assumed to take away from the Berea Commission any power which might be granted by any act enacted at the 1965 session of the General Assembly grant-

ing to it the power to sell and dispose of its Water Distribution System.

SECTION 16. Names of districts.—Effective as of July 1, 1965 the name of the district created by Act No. 848 of 1954 shall be changed to Berea Public Service District and the name of the commission created by the act and herein referred to as the Berea Commission and the commission shall be "Berea Public Service District Commission."

SECTION 17. Time effective.—This act shall take effect upon its approval by the Governor.

Approved the 8th day of June, 1965.

(R539, S395) **No. 622**

An Act To Enlarge The Powers Of Greater Greenville Sewer District And All Special Purpose Districts In Greenville County Whose Functions Include The Operation And Maintenance Of Sewer Systems, And To Authorize Them To Enter Into Contracts By Which Greater Greenville Sewer District Shall Assume The Operation And Maintenance Of Sewer Systems In Such Special Purpose Districts.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—As an incident to the enactment of this act the General Assembly has made the following findings of fact:

(1) That by Act No. 362 of 1925 it created Greater Greenville Sewer District in Greenville County (Greater Greenville) and committed to it the function of providing sewage collection, treatment and disposal for the district. The governing agency of Greater Greenville, through whom the functions of the district are performed, is the Greater Greenville Sewer District Commission (the commission).

(2) Meanwhile other parts of Greenville County have become thickly populated, a situation which has resulted in the establishment of many special purpose districts elsewhere in Greenville County. To many of these special purpose districts is committed the function of providing sewer service facilities.

(3) The commission has been successfully functioning for many years and has acquired a great degree of efficiency in operating and maintaining the system functioning in Greater Greenville. By reason of that fact it appears that circumstances might arise by which, upon appropriate terms and conditions, some of the special purpose districts in Greenville County might advantageously contract with the commission for the operation and maintenance of the sewer systems in their respective districts.

(4) On that basis the General Assembly is minded to enlarge the powers of Greater Greenville so as to permit it to enter into contracts with the governing agency of any special purpose district in Greenville County, to which is committed the function of operating and maintaining a sewer system, to operate and maintain the system of such special purpose district on terms and conditions to be mutually agreed upon between the commission and the governing agency of such district.

SECTION 2. Greater Greenville Sewer District—additional powers.—In addition to all other powers now vested in Greater Greenville and its commission, it shall be authorized to undertake the operation and maintenance of sewer systems belonging to and constructed by special purpose districts in Greenville County, situate outside of the boundaries of Greater Greenville, and to that end the commission and the governing agency of the special purpose districts shall be empowered to enter into contracts on such terms, for such considerations, and for such periods of time as shall be mutually agreed upon, by the commission and the governing agency of the district, under the terms of which the commission shall assume the operation and maintenance of the sewer system of the district. If the contracts be made, the commission shall become the agent of the governing agency of the district, and may perform such functions committed to the governing agency of the district as shall be delegated to them by the contract, and including, without limiting the generality of the foregoing, the power to impose and collect sewer service charges to those to whom sewer service is rendered.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R564, H1816) **No. 623**

An Act To Enlarge The Powers And Functions Of Taylor's Water And Sewer District in Greenville County; To Authorize The Issuance Of Two Million Five Hundred Thousand Dollars Of General Obligation Bonds Of The District To Raise Moneys For The Construction Of A System For The Collection, Treatment And Disposal Of Sewage; To Prescribe The Terms And Conditions Under Which The Bonds Shall Be Issued; And To Make Provision For The Payment Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—As an incident to the enactment of this act the General Assembly has made the following findings of fact:

(1) Taylor's Water and Sewer District (the district) was created by Act 1099 of 1958 and was therein authorized and empowered to acquire, construct, enlarge, improve, operate and maintain a water distribution system and a sewer system.

(2) The district was enlarged by an act bearing ratification number 277 of 1965.

(3) By Act 1099 of 1958 it was provided that the governing agency of the district should be the Taylor's Water and Sewer District Commission (the commission).

(4) The district is becoming increasingly populated and the preservation of the public health therein requires the construction and maintenance of sewage collection treatment and disposal facilities.

(5) It has been estimated that the cost of providing the foregoing facilities to the district will be substantial. Present estimates made by consulting engineers employed by the district indicate an expenditure of not less than two million five hundred thousand dollars. The General Assembly has given due consideration to the method of financing the expenditures which must be undertaken by the commission and has concluded that the district shall be empowered to issue general obligation bonds to the extent of two million five hundred thousand dollars.

(6) The General Assembly has given further consideration to the methods by which the district will raise the monies required to provide debt service on the bonds of the district to be issued pursuant to this act and has concluded that, in addition to the power to cause the levy of ad valorem taxes, the district should be empowered (a) to impose sewer service charges for sewage collection services to be rendered to

those to whom sewage collection service is provided; (b) to impose assessments against properties fronting on sewage collection laterals which were served by such laterals; and (c) to impose a charge to cover the cost of effecting connections to sewer laterals. Accordingly, the General Assembly has determined the powers of the commission should be enlarged to the extent herein provided.

(7) It is the legislative intent of this act that it shall be deemed complementary and supplementary to existing laws relating to the district and to add to the powers, functions and duties committed to the commission in order that the district may fulfill its function of preserving the public health and provide for all those who own, use or occupy dwellings or other buildings therein adequate means for the collection, disposal and treatment of sewage originating therein. In enacting this law the General Assembly exercises its general police powers having found that such exercise was necessary for the maintenance and preservation of the health of the inhabitants of the district.

SECTION 2. Definitions.—For the purposes of this act:

(a) The term "district" shall mean the Taylors Water and Sewer District in Greenville County as now or hereafter constituted.

(b) The term "commission" shall mean the governing agency of the district as now or hereafter constituted.

(c) The term "sewer charge" shall mean the monthly, quarterly or annual charge imposed for the collection, treatment and disposal of sewage and shall include all tapping and connection fees.

(d) The term "front foot assessment" shall mean assessment levied to reimburse the district for that portion of the cost of installing sewer lateral (collection lines) imposed by the commission on a front foot basis.

SECTION 3. Additional powers.—In addition to the powers heretofore granted by Act 1099 of 1958, the following powers, to be exercised by the commission, are hereby granted to and conferred upon the district:

1. To place into effect and to revise whenever it so wishes or may be required a schedule of sewer charges for the connection to and use of its sewage disposal system. Prior to the making of any sewer connection or the furnishing of any sewage disposal service for which the prescribed sewer charge shall, pursuant to paragraph 2 of this section, become a lien on the property affected, and prior to any sub-

sequent increase in any such sewer charge, not less than ten days written notice shall be given to each affected property owner notifying him of the nature and quantum of the sewer charge and providing such property owner an opportunity if desired and requested, to appear and be heard in person or by counsel before the commission. Following such hearing, if such be requested and held, action shall be taken by the commission and notice of its decision shall be given to the property owner concerned or his counsel as the case may be not less than ten days prior to the effective date of the sewer charge. Any property owner aggrieved by the action of the commission may proceed by certiorari in the Court of Common Pleas for Greenville County to have such court review the action taken by the commission at which time the court will determine the validity and reasonableness of the charge so made. Sewer connection charges and sewer service charges not intended to become liens in the case of nonpayment can be imposed and subsequently increased upon any user in the district without such notice and hearing.

2. If the notices prescribed by paragraph 1 of this section shall have been given and any hearing requested pursuant thereto shall have been held, all sewer connection charges and sewer service charges imposed by the commission following that procedure under authority of this act and not paid when due and payable shall be and constitute a lien upon the real estate to which the sewage service concerned relates so long as the sewer charges remain unpaid. In addition to such other rights and remedies as may be available to the commission in law or in equity for the collection of the sewer charges, the lien may be enforced by the commission in the same manner and fashion as the lien of property taxes on real estate. The lien herein provided shall be superior to all other liens except lien for unpaid property taxes.

The method provided in this act for the enforcement of the collection of past due sewer connection charges and sewer service charges by creating them liens against real property shall not be the exclusive method of enforcing such collections and the commission is fully empowered to enforce the collection of any such charges in any other lawful manner in all or any part of the district.

3. To prescribe and enforce regulations (a) requiring all persons to whom it is availabe to make use of any sewer system which the district shall from time to time operate and (b) generally with respect to the discharge of sewage and the use of privies, septic tanks and other sewage facilities in the district. Any such regulations shall, however, become effective only after they have been adopted by resolu-

tion of the commission, a certified copy thereof has been recorded in the Office of the Register of Mesne Conveyances for Greenville County, a copy has been posted in the Greenville County Courthouse and a notice of the adoption of such resolution has been published at least once a week for three successive weeks in a newspaper published in Greenville County having a general circulation in the district. The published notice shall specify in brief the scope of the regulations and shall state the date on which it shall become effective. Prior to the adoption of the resolution, the commission shall give public notice of a meeting to be held to consider its adoption and the notice shall appear in a newspaper published in Greenville County and having general circulation in the district at least once not less than seven days prior to the occasion fixed for the holding of such meeting. Any persons affected may attend such meeting and express their views on the proposed regulations. The provisions of this paragraph prescribing conditions upon the effectiveness of the regulations specified above in this paragraph shall not be deemed to impose mandatory conditions upon the exercise of any other power or the adoption of any other type of regulation which the commission is authorized to adopt.

4. Paragraph 3 of this section authorizes the commission in the interest of the health of the district to adopt regulations requiring the use of its sewer system and regulations generally with respect to the discharge of sewage and the use of privies, septic tanks and other sewage facilities in the district. The commission is expressly authorized to apply to any court of general jurisdiction for the enforcement of any such regulations through the means of mandatory injunction or other remedial process; *provided,* such regulation has been duly adopted in the manner prescribed by paragraph 3 of this section.

5. The commission is hereby authorized to enter into contracts with the Commissioners of Public Works of the City of Greenville or any other public or private agency now or hereafter furnishing water service within the district, on terms and conditions to be mutually agreed upon by which the commission shall constitute such agency as its agent for the purpose of collecting sewer service charges which the commission shall from time to time impose on those to whom it furnishes sewage collection service and by such contract to empower such agency to disconnect water service upon the failure to pay the sewer service charge. The contract may provide that the charge for sewer service shall be combined with the charge made for

water service and rendered to the customer as a single joint bill which the customer shall be required to pay as an entirety.

6. To combine any bill that the commission may render for water service with the bill that it is rendered for sewer service and to require the payment of the charges for both water and sewer service as a part of a single joint bill and to disconnect water service upon failure of the customer to pay the joint bill in accordance with the regulations of the commission, from time to time in force.

7. (a) The commission is hereby empowered to provide by resolution that the actual cost of the establishment and construction of any lateral collection sewer lines constructed by the commission within the district and any extensions thereof, or so much of the actual cost thereof as the commission in its discretion deems appropriate, shall be assessed upon the lots and parcels of land abutting directly on such lateral lines or extensions thereof according to the extent of the respective frontage thereon, by an equal rate per foot of such frontage, and may in its discretion provide in the case of corner lots, for an assessment only upon one of the two corner lines. The commission may provide in such resolution that the front foot assessments to be levied in connection with such work may be paid in equal installments covering a period of not exceeding ten years. The resolution providing for such front foot assessments shall designate by a general description the improvement to be made and the streets or parts thereof whereon the work is to be effected and the estimated cost thereof and the amount of the cost to be assessed upon all abutting property and the terms and manner of payment. Such resolution shall not become effective until at least seven days after it shall have been published in a newspaper of general circulation in the district published in Greenville County. Such resolution may incorporate by reference plats and engineering reports and other data on file in the commission's office provided that the place of filing and reasonable hours for inspection by interested persons are specified in the resolution.

(b) Upon the completion of the construction of any such sewer laterals or any extensions thereof, the commission shall compute and ascertain the total cost thereof and shall thereupon make an assessment of such total cost or so much thereof as it deems appropriate. For that purpose the commission shall make out an assessment roll in which must be entered the names of the persons assessed and the amount assessed against their respective properties with a brief description of the lots or parcels of land assessed.

(c) Immediately after such assessment roll has been completed the commission shall forthwith cause one copy thereof to be deposited in the commission's office for inspection by interested parties, and shall cause to be published at least once in a newspaper of general circulation within the district a notice of completion of the assessment roll setting forth a description in general terms of the improvement and the time fixed for the meeting of the commission for a hearing of objections in respect of the front foot assessments, such meeting not to be earlier than ten days from the date of the publication of such notice.

(d) As soon as practicable after the completion of the assessment roll and prior to the publication of the notice above-mentioned in paragraph (c) the commission shall mail to the owner of each lot or parcel of land against which a front foot assessment is to be levied at his address appearing in the records of the county treasurer, a notice stating the nature of the improvement, the total cost thereof, the amount to be assessed against that particular property and the frontage in feet upon which the front foot assessment is based, together with the terms and conditions upon which the front foot assessment may be paid. This notice shall also contain a brief description of the particular property involved together with a statement that the amount assessed shall constitute a lien against the property superior to all other liens except property taxes. The notice shall also state the time and place fixed for the meeting of the commission above-mentioned for a hearing of objections in respect of the front foot assessments. Any property owner who fails, not later than three days prior to the date set for such meeting, to file with the commission a written objection to the front foot assessment against his property shall be deemed to have waived all rights to object to such front foot assessments; and the notice prescribed herein shall so state.

(e) At the time and place specified for the meeting above-mentioned, or at some other time to which it may adjourn, the commission shall hear the objections of all persons who have filed written notice of objection within the time prescribed above who may appear and make proof in relation thereto either in person or by their attorney. The commission may thereupon make such corrections in the assessment roll as it may deem proper or may confirm the same, or may set it aside and provide for a new assessment. Whenever the commission shall confirm an assessment roll, either as originally prepared or as thereafter corrected, a copy thereof certified by the secre-

tary of the commission shall forthwith be filed in the office of the Clerk of Court of Common Pleas of Greenville County and from the time of such filing the front foot assessments impressed in the assessment roll shall constitute and be a lien on the real property against which the same are assessed superior to all other liens and encumbrances except only the lien for property taxes.

(f) After the assessment roll has been confirmed a certified copy thereof shall be delivered to the Treasurer of Greenville County who shall proceed to collect the same in the manner of county taxes and shall remit such collections upon the direction of the commission. Past due front foot assessments shall be turned over by the treasurer to the Sheriff of Greenville County who shall proceed to collect them in the same manner as unpaid county taxes are collected.

(g) Immediately upon the confirmation of an assessment the commission shall give written notice by mailing to the last known address according to the records of the commission to all persons who have filed written objections as provided of the amount of the front foot assessment finally confirmed against his property. If any such person is dissatisfied with the amount of the front foot assessment so confirmed and shall within ten days after the confirmation give written notice to the commission of his intent to do so, he may appeal his front foot assessment to the Court of Common Pleas for Greenville County and shall within five days after giving such notice serve upon the commission a statement of facts upon which he bases his appeal; but no such appeal shall delay or stop the improvements or affect the validity of the front foot assessments confirmed and not appealed. The appeal shall be tried at the next term of court as other actions at law with priority over all other cases.

(h) The commission may correct, cancel or remit any such front foot assessment and may remit, cancel or adjust the interest or penalties of any such front foot assessment and is empowered when in its judgment there is any irregularity, omission, error or lack of jurisdiction in any of the proceedings relating thereto set aside the whole of any assessment made by it and thereupon to make a reassessment.

(i) In the event the commission provides that such front foot assessments may be paid in equal annual installments, then in that event any property owner shall have the option and privilege of paying his respective front foot assessments in full in cash provided he gives notice of his intent to do so in writing to the commission within thirty days after the notice prescribed in paragraph (d). If no such

notice of intent is given within the thirty day period the front foot assessment shall be deemed to be due and payable in the equal annual installments prescribed by the commission and shall bear interest at the rate of four per cent per annum from the date of the confirmation of the assessment roll, payable with such annual installment. Any property owner shall have the right at any time in his option to prepay in full the front foot assessment against his property by the payment of the balance due plus interest calculated to the date of prepayment. If any property owner shall fail or neglect to pay any installment when it becomes due and payable, then and in that event the commission may, at its option, declare all of the installments remaining unpaid at once due and payable and such property shall be sold by the Sheriff of Greenville County in the same manner and with the same right of redemption as are prescribed by law for the sale of land for unpaid county taxes.

SECTION 4. Bond issue authorized.—In order to obtain funds to defray the cost of constructing a system for the collection, treatment and disposal of sewage, the commission is hereby authorized and empowered to issue not exceeding two million five hundred thousand dollars of general obligation bonds of the district.

SECTION 5. Issues—denominations—maturity.—The bonds authorized by this act may be issued as a single issue or may be issued in several issues from time to time as the commission may determine. Bonds issued hereunder shall be in such denominations and shall mature in such annual series or installments as the commission shall provide.

SECTION 6. Redemption.—Any bond issued pursuant to this act may be issued with a provision for its redemption prior to its stated maturity at par and accrued interest plus such redemption premium as may be prescribed by the commission, but no bond shall be redeemable before maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of any bonds, provisions shall be made specifying the manner of call and notice thereof that must be given.

SECTION 7. Form.—The bonds issued pursuant to this act shall be in the form of negotiable coupon bonds payable to bearer but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Greenville County upon such conditions as the commission may prescribe. Except when so

registered all bonds issued pursuant to this act shall have the attributes of negotiable instruments under the law merchant and negotiable instruments law.

SECTION 8. Where payable.—The bonds issued pursuant to this act shall be made payable at such place within or without the State as the commission shall prescribe.

SECTION 9. Interest.—Bonds issued pursuant to this act shall bear interest at such rates as may be determined by the commission.

SECTION 10. Execution.—Bonds issued pursuant to this act and the coupons attached thereto shall be executed in such manner as the commission shall by resolution provide.

SECTION 11. Sale.—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold at public sale after advertisement in a newspaper of general circulation in South Carolina. The published notice of sale shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 12. Payment.—For the payment of the principal of and interest on the bonds issued pursuant to this act as they respectively mature and for the creation of such sinking funds as may be necessary, the full faith, credit and taxing power of the district shall be irrevocably pledged and there shall be levied annually by the Auditor of Greenville County and collected by the Treasurer of Greenville County, in the same manner as county taxes are levied and collected, a tax without limit on all taxable property in the district sufficient to pay the principal and interest on the bonds as they respectively mature and to create such sinking fund as may be necessary therefor; *provided,* that it shall be the duty of the commission to remit to or make available to the Treasurer of Greenville County all sums realized from front foot assessments and the net proceeds of all sums derived from sewer charges remaining after the payment of the cost of operating and maintaining the sewer system and the ad valorem tax levy above-ordered shall be reduced to the extent that there shall have been made available for debt service on the occasion in each year when the ad valorem tax levy is to be imposed monies derived from the sewer charges and front foot assessments as hereinabove mentioned; and in all instances where an annual tax levy is so reduced, the monies derived from the sewer charges and front foot assessments

shall be applied to the payment of such principal and interest and to no other purpose.

SECTION 13. Exempt from taxes.—The principal of and interest on bonds issued pursuant to this act shall have the tax exempt status prescribed by Section 65-4.1, Code of Laws of South Carolina, 1962.

SECTION 14. Proceeds.—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of Greenville County and shall be deposited in a special bond account fund for the commission and shall be expended and made use of as follows:

(a) All accrued interest shall be applied to the payment of the first installment of interest to become due on the bonds.

(b) Any premium received upon the sale of the bonds shall be applied to the payment of the first installment of principal of the bonds.

(c) The remaining proceeds shall be used upon the warrant or order of the commission to defray the cost of issuing bonds authorized hereby and to pay all costs to be incurred in providing the sewage collection disposal and treatment facilities for the district hereinabove-mentioned, including the acquisition of any sites necessary therefor. *Provided,* that pending the use of proceeds of the bonds to meet the costs to be incurred as aforesaid, the proceeds of the bonds shall, at the direction of the commission and to the extent prescribed by the commission, be invested and reinvested in obligations of the United States or of agencies having a stated maturity of not exceeding twelve months from the date of such investments. The commission may employ the services of the trust department of any bank having an office in Greenville County to assist it in effecting such investments, and if such action shall be taken by the commission, the Treasurer of Greenville County shall, on the order of the commission, deliver to such bank the proceeds of the bonds to the extent ordered by the commission.

All income realized from such investments after meeting any costs incident thereto shall be from time to time turned over to the Treasurer of Greenville County and by him applied to the payment of interest to become due on the bonds, but the provisions hereof shall in no way limit or impair the directive of this act made by Section 12 requiring the Auditor and Treasurer of Greenville County to levy and collect sufficient taxes to meet the payment of principal and interest of the bonds as they respectively mature, and any reduction in the tax levy, resulting from income so received, shall take place only after the

actual receipt by the treasurer of the proceeds of such investment income. Whenever investments made as herein authorized shall be reconverted into cash, the principal proceeds of any such investment shall be returned to the Treasurer of Greenville County and by him applied in accordance with the provisions of this subsection.

(d) If any balance remains after meeting all costs of providing the sewage collection and treatment facilities above-mentioned, it shall be held by the Treasurer of Greenville County in a special fund and used to effect the retirement of bonds authorized hereby.

SECTION 15. Powers to be additional.—The powers and authorizations hereby conferred upon the commission shall be in addition to all other powers and authorizations previously vested in them and may be exercised by action taken at regular or special meetings. The compliance with the provisions of this act shall constitute all action necessary to effect the valid issuance of the bonds.

SECTION 16. When general law to govern.—All acts or parts of acts inconsistent with the provisions of this act are declared to be superseded by the provisions of this act, except that if a general law shall be enacted making provision for the levy of front foot assessments to meet any portion of the cost of installing sewer laterals, then in such event the imposition of front foot assessments for sewer laterals shall be effected through the means of, and in accordance with, such general law.

SECTION 17. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R632, H1917) **No. 624**

An Act To Amend Act No. 1239 Of 1964, as Amended, Relating To The Creation Of The Stroud Memorial Hospital District In Greenville County, So As To Further Define The Area, Powers And Functions Of The District And Its Governing Commission.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that it did, by Act No. 1239 of 1964, as amended by an

Act of 1965 bearing Ratification No. 100, create the Stroud Memorial Hospital District in Greenville County. The General Assembly further finds that the description of the district in the original act and as amended did not accurately define the area intended to be included within the district and, therefore, in order to re-define the area and modify certain powers and duties of the commissioners of the district, the General Assembly deems it advisable to amend Act No. 1239 of 1964, as amended by an Act of 1965 bearing Ratification No. 100.

SECTION 2. Section 2 of Act 1239 of 1964 further amended—Stroud Memorial Hospital District created in Greenville County—area.—Section 2 of Act 1239 of 1964, as amended by an Act of 1965 bearing Ratification No. 100, is further amended by adding at the end of the section the following: "The hospital district shall also include all that area of the above tax districts lying west of U. S. Highway 25 from the point where said U. S. Highway 25 enters Tax District 370 to a point where it leaves Tax District 460. The Tax Districts appear on the Greenville County Block Book Department. All of that area lying east of Highway 25 from the point where it enters Tax District 370 to a point where it leaves Tax District 460 is deleted from the district." The section when amended shall read as follows:

"Section 2. There is hereby created in Greenville County the Stroud Memorial Hospital District which shall be a public corporation and shall have the functions prescribed by this act. The district shall include that area in Greenville County described as follows:

> The area comprising Stroud Memorial Hospital District includes the tax districts as shown in the Greenville County Block Book Department as numbers 350, 355, 360, 370, 375, 399, 450, 455, 460, 465, 470, 475, 480, 485, 320, 380, and 445. Said area being more clearly defined and shown on a plat entitled 'STROUD MEMORIAL HOSPITAL DISTRICT' recorded on January 8, 1965, in the R. M. C. Office for Greenville County in Plat Book JJJ, at page 9. The hospital district shall also include all that area of the above tax districts lying west of U. S. Highway 25 from the point where said U. S. Highway 25 enters Tax District 370 to a point where it leaves Tax District 460. The Tax Districts appear on the Greenville County Block Book Department. All of that area lying east of Highway 25 from the point where it enters Tax District 370 to a point where it leaves Tax District 460 is deleted from the district."

SECTION 3. Section 4 of Act 1239 of 1964 further amended—may make loans.—Section 4 of Act 1239 of 1964, as amended by an Act of 1965 bearing Ratification No. 100, is further amended by adding a new paragraph at the end thereof to read as follows:

"19. To negotiate and make loans with any governmental agency, including Greenville County, which may appear to be in the best interest of the district and to provide in such loans the manner in which a loan is to be repaid; *provided,* that the Stroud Memorial Hospital District is hereby divested of all authority to issue bonds."

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R665, H1905)

No. 625

An Act To Amend Act No. 389 Of The Acts And Joint Resolutions Of The General Assembly Of 1955, As Amended By Act No. 449 Of 1963, Making Provision, *Inter Alia,* **For Borrowings By The Piedmont Sewer And Light District Of Anderson And Greenville Counties, Including The Issuance Of Not Exceeding Two Hundred Thousand Dollars Of General Obligation Bonds Of The District, So As To Provide For Issuance Of Not Exceeding Three Hundred Forty Thousand Dollars Of General Obligation Bonds Of The District.**

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that Act 449 of 1963, amending Act 389 of 1955, made provision for borrowing by the Piedmont Sewer and Light District, including the issuance of not exceeding two hundred thousand dollars of general obligation bonds of the district; that thereafter it was found that such maximum authorization was inadequate; that in order to provide an adequate sewer system including disposal plant, sufficient for the protection of the health and welfare of residents of the district and for the prevention of pollution of the Saluda River, issuance of not exceeding three hundred forty thousand dollars of general obligation bonds of the district is necessary.

SECTION 2. Act 389 of 1955 further amended—issuance of bonds.—Act No. 389 of 1955, as amended by Act No. 449 of 1963, is further amended as follows:

(a) By striking the words "two hundred thousand dollars" from paragraph 15 of Section 3 and inserting in lieu thereof the words "three hundred forty thousand dollars" so that when so amended paragraph 15 shall read as follows:

"15. To issue, under the conditions prescribed by paragraph 17 of this section, *infra,* general obligation bonds of the district in an amount not exceeding three hundred forty thousand dollars."

(b) The act is further amended by striking the words "two hundred thousand dollars" from the first sentence of the first paragraph of paragraph 17 of Section 3 and inserting in lieu thereof the words "three hundred forty thousand dollars" so that when so amended the first paragraph of paragraph 17 shall read as follows:

"17. To issue not exceeding three hundred forty thousand dollars of general obligation bonds of the district, whose proceeds shall be used to defray the costs of constructing, establishing, maintaining, repairing or renovating a sewer system in the district. For the purpose of this section, the term 'construct and establish' shall embrace the cost of direct construction, the cost of all land, property, rights, easements and franchises acquired, which are deemed necessary for such sewer system, the cost of all machinery and equipment needed therefor, payments to contractors, laborers or others for work done or material furnished, financing charges, interest prior to and during construction and for six months after completion of construction, cost of engineering services, legal services, legal expenses, plans, specifications, surveys, administrative expenses and such other expenses as may be necessary or incident to the construction of the sewer system and the placing of the same in operation. General obligation bonds shall be issued only in the event the election required by paragraph 18 shall result favorably. All or any general obligation bonds issued pursuant to this paragraph may be additionally secured by a pledge of the net revenues to be derived from the operation of any revenue producing facility operated and maintained by the district. The words 'net revenues' as used in this paragraph shall mean that sum remaining from the aggregate of all moneys realized by the district from rates and charges imposed and collected after paying the cost of operation and maintenance of the facility, whose revenues shall be

pledged. If, pursuant to this paragraph, general obligation bonds are issued:".

(c) The act is further amended by striking the words "two hundred thousand dollars" from the question to be submitted to public election as stated in paragraph 18 of Section 3 and inserting in lieu thereof the words "three hundred forty thousand dollars" so that the question submitted shall be substantially in the following form:

"Shall the Piedmont Sewer and Light Commission of Anderson and Greenville Counties issue general obligation bonds in a sum not exceeding three hundred forty thousand dollars, the proceeds of which shall be used to construct and establish a sewer system in the district?

YES
NO"

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R709, S418)

No 626

An Act To Create Greenville Hospital System District In Greenville County; To Define Its Functions And Powers; To Provide A Governing Agency Therefor; To Authorize The Greenville General Hospital Board Of Trustees To Convey, Without Consideration, Its Properties To The District; To Provide For The Dissolution Of The Greenville General Hospital Board; And To Authorize The District To Issue General Obligation Bonds To Provide Additional Hospital Facilities, Prescribe The Terms And Conditions Under Which The Bonds May Be Issued And Make Provision For Their Payment.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—1. The General Assembly finds that public hospital facilities in Greenville County are being presently provided by a public agency known as the Greenville General Hospital Board of Trustees (the hospital board). The membership of the hospital board is comprised in the manner set forth

in Section 4 of Act 432 of 1947, as amended (the Act of 1947) and now consists of seven individuals.

2. Acting pursuant to the Act of 1947, the hospital board acquired from the City of Greenville certain hospital properties then owned by the City of Greenville under a contract which provided inter alia as follows:

> "(1) That in the event this Act embodying the agreed plan and method for the operation of said hospital and all of its expanded facilities is repealed or amended in any particular without first obtaining the approval of the corporate authorities of the City of Greenville evidenced by a majority action at a duly called meeting of the Greenville City Council; or,
>
> "(2) That in the event Greenville County shall hereafter acquire the property and assets which the City of Greenville shall convey to the said Board of Trustees, created by Section 4 of this Act, as the same may be constituted on the occasion of their acquisition by said Board of Trustees, or as the same may have been modified, transformed, converted or changed, and whether the acquisition become effective by operation of law, by voluntary act, or through eminent domain, then in either of such events Greenville County shall be obligated to pay to the City of Greenville the sum of One Million Five Hundred Thousand ($1,500,000.00) Dollars which obligation shall constitute a lien upon all hospital facilities and equipment located within the corporate limits of said City, inferior only to any lien created in favor of revenue bonds issued prior to the occurrence of such event. This covenant or agreement shall be deemed to be for the benefit of the several residents and taxpayers of the City of Greenville and shall be enforceable at law or in equity at the instance of any one or more or either of them."

3. Hospital facilities have been maintained and expanded through gifts, grants and the proceeds of general obligation bonds issued by Greenville County and certain hospital districts located in Greenville County. Such facilities are available to all residents of Greenville County.

4. The manner of selecting the hospital board provided by the Act of 1947 has been eminently satisfactory, and the membership of the board has consisted of individuals especially fitted to perform the functions granted to the hospital board.

5. Studies indicate that the growth of Greenville County requires tremendous expansion of existing facilities, and much consideration has been given to provide means therefor. After due consideration it has been determined to establish a hospital district co-extensive with Greenville County, and to create a commission as the governing agency thereof, and to authorize and empower the commission to issue bonds of the district to the extent permitted by such constitutional debt limitation as shall from time to time be applicable, in order to provide funds for hospital facilities.

6. On the basis of this determination the General Assembly undertakes to establish Greenville County as a hospital district, to provide a governing agency therefor, to prescribe its powers and to provide means by which the district may acquire the properties now vested in the hospital board, and obtain funds for the expansion of hospital facilities. Because of the satisfactory record established by the hospital board, the General Assembly has determined to follow the method employed by the Act of 1947 in prescribing the manner in which the governing agency of the district shall be appointed.

SECTION 2. Greenville Hospital System District created in Greenville County.—There is hereby created and established in Greenville County a district to be known as "Greenville Hospital System District" (the district), which shall include and be comprised of all territory in Greenville County within the boundaries of Greenville County.

SECTION 3. Powers and duties.—It shall be the function of the district, acting through its governing agency, hereinafter established, to do all things necessary and convenient for the purpose of establishing, acquiring, and at all times operating and maintaining adequate hospital facilities for all residents and inhabitants of the district, including those residing within the corporate limits of the City of Greenville and within the corporate limits of other municipalities within the district, as well as those living beyond the corporate limits of such municipalities. Without limiting in any way the generality of the foregoing, the district shall be empowered as follows:

(1) To adopt and use a corporate seal;

(2) To adopt such bylaws, rules and regulations for the conduct of its business and expenditure of its funds, as it may deem advisable;

(3) To acquire from the hospital board all of its properties, real, personal or mixed and all other assets which it may have or to which

it may become entitled; and to operate all hospital facilities which it may acquire;

(4) To acquire by gift, purchase, lease, or otherwise, all kinds and descriptions of real and personal property;

(5) To accept gifts, grants, donations, devises and bequests;

(6) To enlarge and improve any hospital building that it may acquire or construct;

(7) To adequately staff and equip any hospital that it may operate;

(8) To provide and operate out-patient departments;

(9) To establish and operate such clinics as the district may deem necessary to the health of the residents of Greenville County;

(10) To provide teaching and instruction programs and schools for nurses, hospital technicians, hospital employees, medical students and physicians during internship and residency;

(11) To employ such personnel as it may deem necessary for the efficient operation of the several facilities maintained by the district;

(12) To provide reasonable regulations concerning the use of the facilities maintained by the district, including reasonable rules governing the conduct of physicians, nurses and technicians while on duty or practicing their profession in the facilities maintained by the district;

(13) To establish and promulgate reasonable rates for the use of the services and facilities afforded by the district;

(14) To define eligibility requirements for patients for charity services, to operate and maintain necessary services for such patients, to contract with third parties for reimbursement for services rendered to such patients, and to collect partial payment from patients unable to pay the rates established by the board;

(15) To expend the proceeds derived from the charges made for the use of the services and facilities of the hospital for the operation and maintenance thereof;

(16) To determine the fiscal year upon which the affairs of the commission shall be conducted;

(17) To expend any funds received in any manner, and the proceeds derived from the issue of bonds hereinafter authorized, to defray any costs incident to establishing, constructing, equipping and maintaining any hospital;

(18) To apply to the Federal Government and any other governmental agency for a grant of money to aid in the construction and equipment of any hospital;

(19) To dispose of any property, real or personal, that it may possess;

(20) To avail itself of the authorizations of Sections 59-361 to 59-450, inclusive, and Sections 59-651 to 59-682, inclusive, Code of Laws of South Carolina, 1962, as now or hereafter constituted, it being intended that amendments or revisions of such statutes shall correspondingly affect and amend powers granted to the district pursuant to this paragraph;

(21) To conduct periodic investigations into hospital, medical and health conditions in Greenville County;

(22) To enter into contracts for the construction and repair of hospitals and hospital facilities and to contract for equipment and supplies for the hospital;

(23) To exercise the power of eminent domain for the purpose of acquiring property for purposes of expansion, and to that end it may avail itself of the procedure prescribed for the exercise of eminent domain by any county, municipality or authority created by or organized under the laws of this State, or by the State Highway Department, or by railroad corporations; and

(24) To borrow money from banking or other lending institutions in such amounts and on such terms as the district may determine, in its discretion, is for the best interest of and most favorable to the hospital for the operation thereof or for the acquisition of real or personal property, or to enlarge or improve any hospital facilities and to secure such loan or loans by pledge of revenues.

SECTION 4. To be governed by a commission—members—terms—vacancies—officers.—All functions granted to the district shall be exercised by its governing agency which shall be the Greenville Hospital System District Commission (the commission). The commission shall consist of seven members, all of whom shall be qualified electors of Greenville County. Three of the members, designated for convenience as city members, shall reside within the corporate limits of the City of Greenville; three of the members, designated for convenience as county members, shall reside within the corporate limits of Greenville County but without the corporate limits of the City of Greenville, and the seventh member, designated for convenience as member at large, shall reside within the County of Greenville, either within or without the corporate limits of the City of Greenville.

The terms of the commissioners shall begin on the effective date of the conveyance by the hospital board to the district of its properties.

Such occasion shall be the date of the deed from the hospital board to the district, or, if the action of the hospital board in effecting the conveyance of its properties to the district, or the validity of the act be challenged by any action at law or in equity in any court of competent jurisdiction, upon the final termination of such litigation.

Of the initial commissioners, two shall have a term ending July 1, 1967, two shall have a term ending July 1, 1969, and three shall have a term ending July 1, 1971.

Subsequent terms of office of the members of the commission shall be for six years. Vacancies on the commission, either among the initial appointees, or among their successors in office, occurring by reason of death, resignation, refusal to serve or otherwise, shall be for the remainder of the term of the office in which the vacancy shall have occurred. If, upon the expiration of the term of any member of the commission, a successor shall not have been appointed, the member whose term has thus expired shall hold over until the appointment and qualification of his successor, but this provision shall not extend the term of the successor beyond the six-year period herein provided for. All vacancies shall be filled in the following manner: If the vacancy in office shall be for a city member, the remaining members of the commission, or a majority thereof, shall submit a nomination or nominations to the City Council of the City of Greenville for its approval; if the vacancy in office shall be for a county member, the remaining members of the commission, or a majority thereof, shall submit a nomination or nominations to the Greenville County Legislative Delegation for its approval; and, if the vacancy in office shall be for the member at large, the remaining members of the commission, or a majority thereof, shall submit a nomination or nominations to the City Council of the City of Greenville and the Greenville County Legislative Delegation for their approval. Upon the approval of a majority of the City Council of Greenville, or a majority of the Greenville County Legislative Delegation, as the case may be, or by both in the event the nomination be for the member at large, then the clerk of city council, or the secretary or acting secretary of the county legislative delegation, or both, as the case may be, shall certify their approval to the Governor, who shall commission the nominee for the term provided. All members of the commission shall serve without compensation. Appointments and acceptances thereof shall be duly filed in the office of the Clerk of Court for Greenville County.

Upon its appointment, the commission shall meet as soon as may be practicable and organize by electing one of its members as chairman, a second as vice-chairman, and a third as secretary, whereupon, after the organization of the commission, it shall determine by lot the duration of the term of each member, in order that the requirements of this section shall be complied with. After the terms of the several members are thus determined, the secretary of the commission shall certify them to the Governor who shall issue commissions to each member for the term required by this act. A full transcript of the records of the initial organization shall be filed with the Clerk of Court of Greenville County by the secretary of the commission, and shall be recorded and indexed by that official.

Inasmuch as it is contemplated by this act that the hospital board shall cease to function following the conveyance of its properties to the district as it is now constituted, the hospital board having knowledge gained from experience as to the proper functioning of hospital facilities, it is hereby declared that the individuals now holding office as members of the hospital board shall be eligible to appointment on the commission. In so providing, the General Assembly believes that such individuals will not be exercising the functions of more than one public office at the same time, inasmuch as it is herein provided that the hospital board shall cease to function upon the conveyance of its properties herein provided for. The ratio of commissioners representing the City of Greenville in proportion to the present total membership of the Board shall not be changed without prior approval of the City Council.

SECTION 5. Greenville General Hospital may convey property to district.—If the City Council of Greenville shall give its consent thereto, and shall release the district and Greenville County from the obligation to pay to the city the sum of one million five hundred thousand dollars provided by the provisions of the Act of 1947 and the contract made pursuant thereto, and shall discharge the properties from all liens and encumbrances, such consent to be evidenced in the form of a quitclaim deed, release or other document, (1) that no hospital district real estate situated within the corporate limits of Greenville may be disposed of without the consent of the county legislative delegation and the city council; (2) that the primary hospital property remain within the corporate limits of Greenville; and (3) that there be a reversionary clause in the deed of property to district trustees with respect to the land conveyed by the city in

1947 to locate General Hospital so that the hospital property would revert to the city if the hospital ever ceased to function as such, the hospital board shall be empowered to convey all of its property, real, personal and mixed, to the district, without consideration. Upon such act, or, if the action of the hospital board in effecting the conveyance of its properties to the district, or the validity of the act, be challenged by any action at law or in equity in any court of competent jurisdiction, upon the termination of such litigation, the hospital board shall cease to exist, and all functions and duties thereof shall be transferred to the district.

SECTION 6. Records and audit.—The commission shall at all times keep full and accurate account of its actings and doings and of its receipts and expenditures, and at least once within four months following the close of its fiscal year, a complete audit of its affairs shall be made by a qualified public accountant. Copies of the audit shall be filed with the Clerk of Court for Greenville County, the Clerk of the City Council of the City of Greenville, and with the Secretary or Acting Secretary of the Greenville County Legislative Delegation.

SECTION 7. Bonds may be issued.—In order to raise funds to provide additional hospital facilities, the district, acting through the commission, shall be empowered from time to time to issue general obligation bonds of the district in such amounts as shall, on the occasion of any issue of bonds, be within the applicable constitutional debt limitation of the district.

SECTION 8. Maturity.—All bonds issued pursuant to this act shall mature in such annual series or instalments as the commission shall provide, except that the first maturing bonds shall mature within three years from the date of issue; not less than three per cent of the bonds shall mature in each year; and no bond shall mature later than twenty-five years from the date of issue.

SECTION 9. Redemption.—Any bond issued pursuant to this act may be issued with a provision permitting its redemption prior to its stated maturity, at par and accrued interest, plus such redemption premium as may be prescribed by the commission, but no bond shall be redeemable prior to its stated maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of such bonds, provision shall be made specifying the manner of call and the notice thereof that must be given as to bonds made redeemable prior to their stated maturities.

SECTION 10. Form.—The bonds issued pursuant to this act shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Greenville County, upon such conditions as the commission may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instrument law.

SECTION 11. Where payable.—The bonds issued pursuant to this act shall be made payable at such place or places, within or without the State, as the commission shall provide.

SECTION 12. Interest.—Bonds issued pursuant to this act shall bear interest at rates determined by the commission.

SECTION 13. Denominations.—The bonds and the coupons to be thereunto attached shall be in such denomination and shall be executed in such manner as the commission shall by resolution prescribe.

SECTION 14. Sale.—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. Such published notice shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 15. Payment.—For the payment of the principal and interest of all bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the district shall be irrevocably pledged, and there shall be levied annually by the Auditor of Greenville County, and collected by the Treasurer of Greenville County, in the same manner as county taxes are levied and collected, on all taxable property in the district, a tax sufficient to pay the principal and interest of the bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

SECTION 16. Exempt from taxes.—The principal and interest of bonds issued pursuant to this act shall have the tax-exempt status prescribed by Section 65-4.1, Code of Laws of South Carolina, 1962.

SECTION 17. Proceeds.—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of

Greenville County and shall be expended upon the warrant of the commission. Such proceeds shall be expended as follows:

(a) Any accrued interest shall be applied to the payment of the first instalment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first instalment of principal of such bonds.

(c) The remaining proceeds shall be expended for the following purposes:

(i) To defray the cost of issuing the bonds authorized by this act; and

(ii) To provide for additional hospital facilities for the district.

(d) If, after the final completion of the commission's program, the commission shall certify to the Treasurer of Greenville County that any remaining balance in the bond account is no longer needed for its program, then such balance shall be held by the treasurer and used to effect the retirement of bonds then outstanding, which shall have been issued pursuant to this act.

Pending any use of funds it shall be lawful for the commission to cause the same to be invested in obligations of the United States, or any agency thereof, having a maturity of not more than two years from the date when such investments shall be made. In order to effect such investment the commission shall be empowered to withdraw from the treasurer the entire proceeds of any bonds that may be issued and to cause the same to be deposited with any corporate trustee who shall hold the same as trust funds to be invested in the manner that the commission shall direct.

Any income resulting from such investment may, in the discretion of the commission, be returned to the Treasurer of Greenville County and used by him to meet the debt service of any bonds so issued, or, in the discretion of the commission, be applied, together with the principal proceeds of the bonds, to hospital facilities.

SECTION 18. No further action required for issuance.—No election is prescribed as a condition precedent to the issuance of bonds pursuant to this act, and no action other than that prescribed herein need be taken to effect the issuance of the bonds herein authorized, nor shall the commission be required to obtain the approval of any public agency to any action taken pursuant to the authorizations of this act.

SECTION 19. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R725, H1841)

No. 627

An Act To Provide For The Levy Of Property Taxes In Greenville County For County, School And Road Purposes For The Fiscal Year Beginning July 1, 1965, And Ending June 30, 1966, To Appropriate The Revenues Therefrom And The Income From All Other Available Sources Of County Revenues, And To Direct And Control The Expenditures Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The County Auditor of Greenville County is hereby directed to calculate, subject to the approval of the Greenville County Legislative Delegation, the levy upon all the taxable property of Greenville County necessary to raise the appropriations hereinafter provided for up to the sum equal to the difference between the estimated revenue accruing to the county from indirect and other revenues of like character applicable by law to the general expenses of Greenville County and the sum total of the appropriations herein provided, and no other purpose whatsoever, such levy not exceeding four and one-quarter mills, of all the taxable property of the county, and such revenue therefrom to be expended, if so much be necessary, during the fiscal year commencing July 1, 1965, and ending June 30, 1966.

SECTION 2. Appropriations:

Item 1. County Supervisor:

1-1 Supervisor	$ 7,620.00
1-2 Clerks, 2 @ $3,977.28 each	7,954.56
1-3 Engineer	3,420.00
1-4 Inspector	5,400.00
1-5 Camp Superintendents, 7 @ $4,278.00 each	29,946.00
1-5 Ass't. Superintendents, 4 @ $3,816.00 each	15,264.00
1-5 Quartermaster	3,420.00
1-5 Interrogation and Transportation Officer	3,420.00

1-5	Gas and Parts Room Man	3,420.00
1-5	Tire Man	3,420.00
1-5	Mechanics, 3 @ $3,420.00 each	10,260.00
1-5	Welder	3,420.00
1-5	Machine Operators, 16 @ $3,420.00 each	54,720.00
1-5	Bridge Carpenter Foreman, 2 @ $3,090.00 each	6,180.00
1-5	Plumber	2,892.00
1-5	Painter	2,892.00
1-5	Farmers, 2 @ $2,892.00 each	5,784.00
1-5	Day Wardens, 5 @ $2,892.00 each	14,460.00
1-5	Night Wardens, 6 @ $2,892.00 each	17,352.00
1-5	Truck Drivers, 3 @ $2,892.00 each	8,676.00
1-5	Dump Superintendent	3,816.00
1-5	Guards, 32 @ $2,892.00 each	92,544.00
1-6	Travel—Supervisor	1,905.00
	Total Salaries	$308,185.56

FROM GENERAL FUND:

1-100	Maintenance of buildings, appliances, janitors' supplies, office supplies, heat, lights & water	$ 38,000.00
1-101	Convict maintenance (food and clothing)	95,000.00
1-102	Purchase machinery and trucks	95,000.00
1-103	Farming supplies	8,000.00
1-104	Uniforms for guards	6,000.00
	Total Expenses	$242,000.00
	TOTAL ITEM 1 FROM GENERAL FUND	$550,185.56

FROM SIX MILL ROAD LEVY

1-105	Gasoline, oil, diesel, fuel, lubricants	$ 85,000.00
1-106	Maintenance of equipment (tools, tires, blades, batteries, cables, replacement parts)	146,000.00
1-107	Bridges and large culverts	50,000.00
1-108	Garbage dump, broken water and sewer lines, moving poles, etc.	5,000.00
	Total from Six Mill Road Levy	$286,000.00

Provided, that the foregoing total in the amount of $286,000.00 shall not be included in the

Grand Total as that amount is from the Six Mill Road Levy.

Provided, the Supervisor of the county shall not expend or contract to spend in any one quarter of any fiscal year more than one-fourth of the total amount appropriated for his office. If in the carrying out of the limitation imposed on the Supervisor in this section it should develop that any unexpended portion of any item remains for any one quarter of the year, the same may be added to the amount authorized to be expended for the same purpose during the next ensuing period. The periodic allowance above designated shall not, however, be exceeded for any period and any contract providing for the expenditure of any sum in excess of the periodic allowance above provided shall not be binding upon the county. Any person contracting in any manner with the county is charged with the duty of ascertaining whether or not the expenditure of any sum contemplated by any contract shall be in excess of such periodic allowance. The requirements of this proviso as to periodic expenditures may be dispensed with upon the written approval of the board of commissioners.

Provided, that no monies from the six mill road levy shall be spent for salaries.

Provided, further, that the balance of the six mill road levy shall be spent only for patching and surface treating county roads.

Item 2.	County Board of Commissioners and related expenses:	
	Salaries and expenses:	
2-1	Secretary to Commissioners	$ 5,202.00
2-2	Comptroller	5,202.00
2-3	Accounting Machine Operator	5,202.00
2-4	Accounting Machine Operator	4,920.00
2-5	Secretary to Legislative Delegation	945.00
2-6	Block Book Engineer	6,620.04
2-7	Assistant Block Book Engineer	6,216.36

2-8	Assistant Block Book Engineers, 4 @ $5,596.44 each	22,385.76
2-13	Clerk, Block Book Department	3,396.96
2-14	Clerk, Block Book Department	3,012.96
2-15	Tax Clerk—City Block Book	2,025.00
2-16	I.B.M. Supervisor	6,020.04
2-17	I.B.M. Operators	19,011.72
2-18	Superintendent of Buildings	6,503.76
2-19	Third clerk for the Superintendent of Buildings	3,012.96
2-20	Night Superintendent of Buildings	3,551.60
2-21	Elevator Operator—County Office Building	2,841.80
2-22	Board of Commissioners, 5 @ $600.00 each	3,000.00
2-23	Janitors' Salaries	30,000.00
2-24.	Caretaker—Sewerage treatment plant	3,000.00
	Total Salaries	$142,069.96
2-100	Travel for Superintendent of Buildings	$ 600.00
2-101	Travel for Board of Commissioners	1,000.00
2-102	Travel for Block Book Department *Provided,* this shall be paid by the board of commissioners on the basis of seven cents per mile.	500.00
	Total Travel	$ 2,100.00
2-103	Office supplies, Commissioners	4,500.00
2-104	Stamps for Delegation Secretary	25.00
2-105	Supplies—Block Book Department	1,000.00
2-106	Lights and power	20,000.00
2-107	Fuel	7,000.00
2-108	Water	1,200.00
2-109	Insurance on buildings	5,500.00
2-110	Janitors' supplies	7,000.00
2-111	Elevator upkeep	2,500.00
2-112	Courthouse repairs	4,500.00
2-113	County audits	6,000.00
2-114	Bond premiums—all offices except Sheriff	5,000.00
2-115	Telephone and telegraph	13,000.00
2-116	Legal advertising	200.00
2-117	Postage—all offices	12,500.00
2-118	Workmen's Compensation	16,000.00

2-119	State Retirement and Social Security ..... This includes employer's part of Police Officers' Retirement.	145,000.00
2-120	Contractual service—I.B.M.	16,174.92
2-121	Supplies and printing—I.B.M.	2,340.00
2-122	Supplies for sewerage treatment plant	8,000.00
	Total Supplies	$277,439.92
	TOTAL ITEM 2	$421,609.88

Provided, that the county board of commissioners shall have complete control and direction of I.B.M. system and its personnel, equipment and supplies.

Item 3. County Jail:

3-1	Jailer	$ 4,940.04
3-2	Assistant jailers, 7 @ $4,170.00 each	29,190.00
3-3	Bookkeeper	3,977.28
	Total Salaries	$ 38,107.32
3-100	Food, fuel, etc.	$ 24,000.00
3-101	Uniforms for jailers	1,200.00
	Total Expenses	$ 25,200.00
	TOTAL, ITEM 3	$ 63,307.32

Item 4. Court Operation Expenses:

4-1	Bailiff	$ 2,226.36
4-2	Assistant Bailiff	1,923.72
4-3	County Judge	14,625.00
4-4	Solicitor—County Court	6,274.68
4-5	Assistant Solicitor	4,850.00
4-6	County Court Reporter	4,113.00
4-7	Stenographer to County Solicitor	2,627.16
4-8	Stenographer to Circuit Solicitor	3,977.28
4-9	Stenographer to Coroner	1,524.60
4-10	Stenographer to Circuit Judge	1,392.00
4-11	Circuit Court Stenographer	337.56
4-12	Assistant Circuit Court and County Stenographer	4,080.00

4-13	Criminal Investigator—Circuit and County Court	5,538.00
4-14	Supplement salary—Stenographer, Parole Officer	1,016.40
4-15	Bailiff (County Court)	1,923.72
4-16	Stenographer, County Court Judge	3,720.00
4-17	Supplement salary—stenographer, Parole Officer	712.56
4-18	Clerk to Criminal Investigator	3,398.64
	Total Salaries	$ 63,260.68
4-100	Travel—Criminal Investigator	900.00
	Total Travel	$ 900.00
4-101	Jurors—all courts	36,733.48
4-102	Office supplies—County Court	1,200.00
4-103	Supplies—Circuit Court Stenographer	1,800.00
4-104	Supplies—Circuit Court Solicitor	1,050.00
4-105	Law Library	1,000.00
4-106	School for Circuit Court—Solicitor and Assistant	600.00
	Total Expenses	$ 42,383.48
	TOTAL ITEM 4	$106,544.16

Provided, that the Criminal Investigator shall be a full-time employee and charged with the duty of assisting the solicitors of the circuit and county court with the investigation and preparation of all criminal matters relating thereto in Greenville County, and to that end will be charged with the further duty of assisting the grand jury with respect to such investigations as the grand jury shall require. The appointment of the investigator shall be made by the county delegation upon the recommendation of the circuit and county solicitors.

Provided, that the assistant solicitor shall be employed by the circuit solicitor and the county court solicitor and shall serve under their direction.

Provided, that the money hereinabove appropriated for supplies for the circuit court stenographer shall be expended upon the written authorization of the resident circuit judge.

Provided, that witnesses, living outside Greenville County, called for coroner's inquest, shall be paid the same as other court witnesses.

Item 5. County Health Department:

Salaries, supplies and vital statistics	$165,749.30
Mosquito control	15,000.00
TOTAL ITEM 5	$180,749.30

Provided, that the monies hereinabove appropriated shall be spent upon the written approval of the legislative delegation.

Item 6. Sheriff and other Law Enforcement:

6-1	Sheriff	$ 7,620.00
6-2	Chief Deputy	5,499.96
6-3	Radio Operator	5,331.60
6-4	Clerk	2,915.04
6-5	Clerk	3,234.48
6-6	Bookkeeper	4,311.00
6-7	Deputies, 37 @ $4,932.24 each	182,492.88
6-8	Warrant Clerk	5,182.20
6-9	Special Deputies, 8 @ $283.32 each	2,266.56
	Poe Mill	
	Renfrew	
	Southern Bleachery	
	Union Bleachery	
	Woodside	
	Piedmont	
	Southern Worsted	
	Greer	
6-10	Special Deputies, 9 @ $1,316.16 each	11,845.44
	Brandon	
	Sans Souci	
	Upper part of Greenville County	
	Taylors	
	City View	

	Fork Shoals	
	Dunklin	
	Town of Mauldin	
	Park Place	
	Travelers Rest	
6-11	Special Deputies, 4 @ $1,060.80 each	4,243.20
	Rehobeth	
	Fairview-Austin	
	Berea	
	East and West Gantt	
6-12	Special Deputies, 2 @ $1,260.00 each	2,520.00
	Town of Piedmont	
	Lake Lanier	
6-13	Special Deputy (Conestee)	304.92
6-14	Special Deputy (Slater-Marietta)	1,821.36
6-15	Special Deputy (Judson-Welcome)	1,344.12
6-16	Special Deputy (Wade Hampton)	1,386.00
6-17	Special Deputy (Laurel Creek—9 months)	571.68
6-18	Special Deputy (Pelham)	497.40
6-19	Special Deputy (East View)	1,289.52
6-20	Special Deputy relief, 2 @ $1,344.24 each	2,688.48
6-21	Special Warrant Clerk	1,260.00
6-22	Special Deputy (Woodlawn—9 months)	519.75
6-23	Special Deputy Relief	702.72
6-24	Special Deputy Relief	2,573.52
6-25	Special Deputy (Fairview)	1,200.00
	Total Salaries	$253,621.83
6-100	Travel—Sheriff	$ 1,905.00
6-101	Travel—Chief Deputy	1,650.00
	Total Travel	$ 3,555.00
6-102	Gasoline	$ 14,500.00
6-103	Rental on 20 cars	50,865.00
6-104	Fingerprinting equipment	1,500.00
6-105	Ammunition, guns, etc.	1,600.00
6-106	Evidence Procurement Fund	750.00
6-107	Radio maintenance and phone (2 new radios, red lights and sirens)	5,670.00
6-108	Office supplies	3,500.00

6-109	Military	3,200.00
6-110	Insurance—Premium on Officers' Bonds	6,000.00
6-111	Transportation of prisoners	2,500.00
6-112	Maintenance on confiscated cars	1,000.00
6-113	Uniforms and equipment for deputies	6,630.00
6-114.	Maintenance-Bloodhounds	400.00
	Total Expenses	$ 98,115.00
	TOTAL ITEM 6	$355,291.83

Provided, that Greenville County shall own the uniforms and equipment.

Provided, further, that if any of the above officers shall be replaced, the uniforms and equipment used by them shall be returned to the Sheriff.

Provided, that unincorporated towns and outlying districts shall be patrolled by schedule in that Greenville County shall be zoned by the Sheriff and radio patrol be constantly maintained in the zone, rather than attempting county-wide operation from the Sheriff's office; and *provided,* that two deputies shall be assigned to civil matters and they shall not be responsible for the serving of criminal investigations.

Provided, that before any expenditure shall be made under the foregoing appropriation for transportation of prisoners, the Sheriff's office shall first obtain the written approval of the circuit or county solicitor.

Provided, further, if possible, return of State prisoners shall be made without cost to the county.

Item 7. Clerk of Court:

7-1	Clerk of Court	$ 6,620.04
7-2	Deputy Clerk	3,977.28
7-3	Second Clerk, 2 @ $3,398.64 each	6,797.28
7-4	Third Clerk	3,012.96
7-5	Deputy Clerk	650.00

Provided, acting Clerk of Court, $50.00 per week to be paid to the deputy clerk for additional duties while acting as Clerk of County Court, not to exceed thirteen weeks.

	Total Salaries	$ 21,057.56
7-100	Office equipment, supplies, etc.	$ 3,000.00
	Total Expenses	$ 3,000.00
	TOTAL ITEM 7	$ 24,057.56
Item 8.	Probate Judge:	
8-1	Probate Judge	$ 7,320.00
8-2	Clerks to Probate Judge	4,200.00
8-3	Second Clerk	3,398.64
8-4	Third Clerk, 3 @ $3,012.96 each	9,038.88
	Total Salaries	$ 23,957.52
8-100	Office supplies and equipment	$ 2,200.00
8-101	Lunacy examinations	3,900.00
8-102	Transportation of mental patients	2,300.00
	Total Expenses	$ 8,400.00
	TOTAL ITEM 8	$ 32,357.52
Item 9.	Delegation Contingent Fund:	
9-100	Special appropriation by Delegation	$ 15,000.00
	TOTAL ITEM 9	$ 15,000.00
Item 10.	County Treasurer:	
10-1	County Treasurer	$ 2,784.84
10-2	First Clerk (2)	7,954.56
	Total Salaries	$ 10,739.40
10-100	Office Supplies	$ 600.00
	Total Expenses	$ 600.00
	TOTAL ITEM 10	$ 11,339.40

Item 11.	Master in Equity:	
11-1	Master	$ 10,000.00
11-2	Clerk to Master	3,977.28
11-3	Stenographer	3,398.64
	Total Salaries	$ 17,375.92
11-100	Supplies—Master	400.00
	Total Expenses	$ 400.00
	TOTAL ITEM 11	$ 17,775.92
Item 12.	Coroner:	
12-1	Coroner	$ 3,870.00
	Total Salaries	$ 3,870.00
12-100	Travel-Coroner	1,650.00
	Total Travel	$ 1,650.00
12-101	Office supplies	$ 250.00
	Total Expenses	$ 250.00
	TOTAL ITEM 12	$ 5,770.00
Item 13.	Register of Mesne Conveyance:	
13-1	Register	$ 6,620.04
13-2	First Clerk	3,977.28
13-3	Second Clerk, 2 @ $3,398.64 each	6,797.28
13-4	Third Clerk, 7 @ $3,012.96 each	21,090.72
13-5	Photo Record Machine Operator	3,840.24
13-6	Assistant Machine Operator	3,398.64
13-7	Microfilm Clerk	3,012.96
	Total Salaries	$ 48,737.12
13-100	Photo Record Machine supplies	$ 13,000.00
13-101	Office supplies and equipment	8,000.00
13-102	Supplies for microfilming	2,800.00
	Total Expenses	$ 23,800.00
	TOTAL ITEM 13	$ 72,537.12

Provided, that the Register of Mesne Conveyance, in each case where matter is left in her office to be forwarded by mail to some party, shall collect from the person leaving such matter in advance the postage necessary for mailing such matter.

Provided, further, that the Register of Mesne Conveyance may destroy chattel mortgage books left in her office for a period of six years.

Item 14.	Auditor:	
14-1	Auditor	$ 2,784.84
14-2	First Clerk	3,977.28
14-3	Second Clerks, 2 @ $3,398.64 each	6,797.28
14-4	Third Clerks, 3 @ $3,012.96 each	9,038.88
14-5	Tax Coordinator	6,620.04
14-6	Assistant Tax Coordinator	5,646.48
14-7	Temporary Third Clerk	1,506.48
14-8	Board of Assessors (salary and travel)	17,050.00
14-9	First Clerk to the Tax Coordinator	3,977.28
	Total Salaries	$ 57,398.56
14-100	Travel, Tax Coordinator	$ 900.00
14-101	Travel, Assistant Tax Coordinator	450.00
	Provided, this shall be paid by the board of commissioners on the basis of seven cents per mile.	
	Total Travel	$ 1,350.00
14-102	Office Supplies, Auditor	1,150.00
14-103	Office Supplies and training, Tax Coordinator	1,000.00
	Total Expenses	2,150.00
	TOTAL ITEM 14	$ 60,898.56
Item 15.	Tax Collector:	
15-1	Tax Collector	$ 6,620.04
15-2	First Clerk	3,977.28
15-3	Second Clerk	3,398.64
15-4	Third Clerk, 3 @ $3,012.96 each	9,038.88

15-5	Assistant Collectors, 4 @ $3,205.20 each	12,820.80
15-6	Extra Help	1,815.00
	Total Salaries	$ 37,670.64
15-100	Travel, Tax Collector	$ 300.00
	Provided, this shall be paid by the board of commissioners on the basis of seven cents per mile.	
15-101	Travel, Ass't. Collectors, 4 @ $1,740.00 each ..	6,960.00
	Total Travel	$ 7,260.00
15-102	Office Supplies (to include service contracts on machines)	$ 2,050.00
	Total Expenses	$ 2,050.00
	TOTAL ITEM 15	$ 46,980.64

Item 16. Magistrates and Constables:

16-1	City Magistrate No. 1	$ 5,565.00
16-2	City Magistrate No. 2	4,476.00
16-3	Town of Greer Magistrate	3,507.96
16-4	Magistrates, 2 @ $3,024.00 each ..... Bates Township West Greenville	6,048.00
16-5	Magistrates, 2 @ $2,540.04 each ..... Chick Springs Township Special Sunday and Night Magistrate	5,080.08
16-6	Magistrate, Town of Piedmont	1,989.60
16-7	Magistrates, 2 @ $1,715.28 each ..... Austin Township Fairview Township	3,430.56
16-8	Magistrates, 2 @ $730.56 each ..... O'Neal Township Gantt	1,461.12
16-9	Magistrate, Town of Batesville	584.40
16-10	Magistrates, 10 @ $381.12 each ..... Highland Township Grove Township Dunklin Township	3,811.20

	Cleveland Township	
	Oaklawn Township	
	Butler Township	
	Paris Mountain Township	
	Glassy Mountain Township	
	Fork Shoals Township	
	Saluda Township	
	Total Salaries, Magistrates	$ 35,953.92
16-11	Constables, 2 @ $3,205.44 each	6,410.88
	City Magistrate No. 1	
	City Magistrate No. 2	
16-12	Constable, Town of Greer	2,691.24
16-13	Constable, West Greenville	2,691.24
16-14	Constables, 2 @ $1,429.32 each	2,858.64
	Chick Springs Township	
	Town of Piedmont	
16-15	Constable, Bates Township	1,080.00
16-16	Constables, 2 @ $889.32 each	1,778.64
	Austin Township	
	Fairview Township	
16-17	Constable, O'Neal Township	698.76
16-18	Constables, 12 @ $317.64 each	3,811.68
	Highland Township	
	Grove Township	
	Gantt Township	
	Dunklin Township	
	Cleveland Township	
	Oaklawn Township	
	Butler Township	
	Town of Batesville	
	Paris Mountain Township	
	Glassy Mountain Township	
	Fork Shoals Township	
	Saluda Township	
	Total Salaries, Constables	$ 22,021.08
16-19	Stenographer, City Magistrate No. 1	$ 3,977.28
16-20	Stenographer, City Magistrate No. 2	3,398.64
16-21	Clerk, Chick Springs Township Magistrate	3,012.96

16-22	Clerk, Bates Township Magistrate	2,032.80
16-23	Clerk, Town of Greer Magistrate	1,549.20
16-24	Clerk, West Greenville Magistrate	3,012.96
16-25	Clerk, Cleveland Township Magistrate	800.04
	Total Salaries, Clerical	$ 17,783.88
16-100	Office Supplies, City Magistrate No. 1	300.00
16-101	Office Supplies, City Magistrate No. 2	250.00
16-102	Office Supplies, West Greenville Magistrate	300.00
16-103	Office Supplies, Town of Piedmont Magistrate	600.00
16-104	Office Supplies, Chick Springs Magistrate	600.00
16-105	Office Supplies, all other Magistrates (to include warrant books)	1,500.00
16-106	Rent, Chick Springs Magistrate	1,800.00
16-107	Rent, West Greenville Magistrate	1,500.00
16-108	Rent, Bates Township Magistrate	800.00
16-109	Rent, Town of Piedmont Magistrate	300.00
16-110	Rent, Town of Greer Magistrate	300.00
16-111	Rent, Austin Township Magistrate	300.00
16-112	Rent, Gantt Township Magistrate	300.00
16-113	Rent, Cleveland Township Magistrate	650.00
16-114	Expenses, Austin Township Magistrate	600.00
16-115	Uniforms—3 constables (City Magistrate No. 1, City Magistrate No. 2, West Greenville Magistrate)	450.00
	Total Expenses and Rent	$ 10,550.00
	TOTAL ITEM 16	$ 86,308.88

Provided, that Greenville County shall own the uniforms and equipment.

Provided, further, that if any of the above officers shall be replaced, the uniforms and equipment used by them shall be returned to the Sheriff.

Provided, further, that each Magistrate shall fully comply with Section 43-794 of the 1962 Code, relating to the keeping of records and display signs, etc.

Item 17.	County Physicians and Attorney:	
17-1	Physician for post mortems	$,4,400.04
17-2	County physician	3,630.00
17-3	County dentist	3,300.00
17-4	County attorney	3,334.32
17-5	County surgeon	3,300.00
	Total Salaries	$ 17,964.36
17-100	Travel, County physician	2,000.04
17-101	Rent and expenses, County attorney	1,800.00
17-102	Medical supplies and expenses (doctor, etc.) for convicts (to include eye glasses, orthopedic appliances, etc.)	6,000.00
17-103	Dental supplies	108.00
	Total Expenses	$ 9,908.04
	TOTAL ITEM 17	$ 27,872.40

Provided, the appropriations for medical supplies and eye glasses, orthopedic appliances, etc., for convicts, shall be spent on certification of the County Physician.

Provided, further, the surgical schedule used to pay for surgery for convicts shall be the Medical (Surgical) Fee Schedule used by the Vocational Rehabilitation Department of South Carolina, State agency of vocational rehabilitation.

Item 19.	Farm Demonstration:	
19-1	Farm Agent	$ 1,316.28
19-2	Assistant Farm Agent	754.80
19-3	Assistant Farm Agent	368.88
19-4	Home Demonstration—White	1,445.28
19-5	Assistant Home Demonstration Agent	419.28
19-6	Home Demonstration Agent—Colored	1,248.84
19-7	Farm Agent—Colored	503.16
19-8	Stenographer—Colored	2,079.00
19-9	Stenographer	704.40
19-10	Stenographer to Farm Demonstration Agent	1,260.00
	Total Salaries	$ 10,099.92

19-100	Demonstration supplies	125.00
19-101	Stationery and supplies, Demonstration Agent—Colored	50.00
19-102	Rent, heat, telephone, etc., Farm Agent (Colored)	800.00
19-103	4-H Club—Boys	100.00
19-104	4-H Club—Girls	100.00
19-105	4-H Club—Colored	150.00
19-106	Future Farmers of America	200.00
19-107	Miscellaneous expense (County Agent)	120.00
19-108	Telephone, Home Demonstration Agent (White)	170.04
19-109	Greater Greenville Sanitation Department (to destroy, haul and dispose of dead animals)	4,500.00
19-110	Demonstration materials, Farm Agent (Colored)	50.00
19-111	Farmer's Wholesale Market	9,500.00
	Total Expenses	$ 15,865.04
	TOTAL ITEM 19	$ 25,964.96
Item 20.	County Forestry Board:	
20-1	Clerk, 8 months @ $32.14 per month, 4 months @ $172.08	945.44
	Total Salaries	$ 945.44
20-100	1 Ranger and 3 Wardens @ $519.73 per year each for travel and expense	2,078.92
20-101	4 Towermen @ $69.36 per year each for travel and expense	277.44
20-102	1 Tractor Driver	483.00
	Total Travel and Expense	$ 2,839.36
	TOTAL ITEM 20	$ 3,784.80
Item 21.	Charitable Institutions:	
21-100	Children's Center	$ 4,000.00
21-101	Greenville Rescue Mission	1,200.00
21-102	Salvation Army	1,000.00
21-103	Simpsonville Relief Agency	300.00
21-104	Emergency Maternity Shelter	31,500.00

21-105	Fountain Inn Relief Agency	300.00
21-106	Civil Defense	10,000.00
21-107	Mental Health Clinic	35,809.30
21-108	Parks and Recreation—City of Greenville	15,000.00
21-109	Parks and Recreation—City of Greer	2,000.00
	TOTAL ITEM 21	$ 87,609.30

Provided, that the State Mental Health authorities are authorized to charge such patients as are financially able to pay a reasonable fee based on their ability to pay as may be determined by the authorities with such monies realized to be used for the purpose of improving the services at the Greenville Mental Hygiene Clinic.

Item 22. Department of Public Welfare:

22-1	Director, Salary Supplement	$ 1,320.72
22-2	Supervisors, 8 @ $55.02 each per month, supplement	5,281.92
22-3	Statistical Clerk, Salary Supplement	660.24
22-4	Case Workers, 38 @ $22.00 each per month, supplement	10,032.00
22-5	Clerks, 16 @ $22.00 each per month, supplement	4,224.00
22-6	Additional Child Worker	4,275.96
	Total Salaries	$ 25,794.84
22-100	Travel, 10 Case Workers @ $33.00 per month each	$ 3,960.00
22-101	Travel and Expense, Chairman of Board	330.00
22-102	Telephone and Western Union	5,000.00
22-103	Emergency Relief Purposes	2,500.00
22-104	Foster Home Care	25,100.00
22-105	Miscellaneous and Incidentals	700.00
	Total Expenses	$ 37,590.00
	TOTAL ITEM 22	$ 63,384.84

Provided, that the above appropriation shall be spent on approval by the Department of Public Welfare Board.

Item 23.	Juvenile and Domestic Relations Court:	
23-1	Salaries and Travel—Court Personnel	$ 80,646.94
	Provided, that a salary schedule shall be submitted to the county board of commissioners for approval prior to July 1, 1965.	
	Total Salaries and Travel	$ 80,646.94
23-100	Detention Home Expenses	$ 9,110.00
23-101	Office Supplies and Expense	4,000.00
23-102	Special Mileage Expense	800.00
23-103	Judge's Special Fund	1,000.00
	Total Expenses	$ 14,910.00
	TOTAL ITEM 23	$ 95,556.94
	Provided, that the above appropriation shall be spent on approval by the Juvenile and Domestic Relations Board.	
Item 24.	Rehabilitation Center:	
24-1	Salaries and Travel	$ 60,876.27
	Total Salaries and Travel	$ 60,876.27
24-100	Inmate Maintenance	18,800.00
24-101	Institutional Maintenance	13,850.00
24-102	Industries Program	55,006.00
24-103	Permanent Improvements	8,450.00
	Total Expenses	$ 96,106.00
	TOTAL ITEM 24	$156,982.27
	Provided, that the budget of the Rehabilitation Center shall be approved by the Greenville County Legislative Delegation and a salary schedule submitted to the board of commissioners for approval prior to July 1, 1965.	
Item 25.	County Home:	
25-1	Salaries	$ 13,545.00
	Total Salaries	$ 13,545.00

25-100	Travel for Superintendent	$ 120.00
	Total Travel	$ 120.00
25-101	Food, Fuel, Supplies, etc.	$ 33,295.28
	Total Expenses	$ 33,295.28
26-100	County Nursing Home	$ 10,000.00
	TOTAL ITEMS 25 AND 26	$ 56,960.28

Provided, an itemized budget shall be submitted to the delegation for approval prior to July 1, 1965.

Provided, further, that the Greenville County Home Board shall submit a budget for the Greenville County Nursing Home to the Greenville County Legislative Delegation for its approval.

Provided, further, that the Greenville County Home Board is empowered to promulgate rules and regulations to govern the operation of the Greenville County Nursing Home.

Item 28.	Extra Help and Office Expenses—Service Officer	$ 3,807.00
	Total Extra Help and Expenses	$ 3,807.00
Item 32.	Probation Officer—Supplies	$ 250.00
	Total	$ 250.00
Item 35.	Greenville Technical Education Center	$ 98,765.46
	Total	$ 98,765.46
Item 36.	Greenville County Planning Commission	$ 89,571.00
	Total	$ 89,571.00
	GRAND TOTAL	$2,761,222.90

Anticipated approximate revenue indirect levy for 1965-1966 applicable to General County purposes approximately $2,325,101.34
Approximate revenue to be raised by levy for General County Purposes $436,121.56

SECTION 3. Subitems of subdivisions under Section 1, Item 1, of this act may be diverted to any other subdivision under the same item, where such action is found to meet the deficiency in such subitem or subdivision, such diversions to be made by the County Board of Commissioners and upon and after the approval of the Greenville County Legislative Delegation at a duly called meeting; *provided,* the total appropriation of Item 1 be not thereby exceeded; *provided,* further, that like diversion in other items under Section 2 may be likewise made where no salary or fixed charge is thereby affected.

SECTION 4. Item 9, entitled "Contingent Fund", of fifteen thousand dollars hereinabove referred to, shall be expended in the discretion of, and under the direction of the Greenville County Delegation upon claims, demands and petitions previously approved by the County Board of Commissioners and for such purposes as may be prescribed by the delegation at regular called meetings duly assembled. *Provided,* that notices of any meeting shall state the matters to be considered, and any question or proposal not stated in the notice of a called meeting shall not be passed upon at such meetings unless as many as six members present vote in favor of considering the same.

SECTION 5. The amount hereinabove appropriated as salary for the county auditor and county treasurer are estimates only. The exact amount to be paid by this act appropriated as salary for each of such officers is a sufficient sum to make a total of six thousand five hundred twelve dollars and fifty-two cents when added to the amount paid by the State.

SECTION 6. Members of the Board of Assessors for Greenville County, including the members of the Special Board of Assessors for the City of Greenville, shall be paid fifteen dollars per day for their services. The members of the board shall be paid seven cents per mile for all necessary travel incident to their work. The special board for the City of Greenville may employ a clerk, who shall receive as compensation for his or her services the sum of five dollars per day for not exceeding ninety days. *Provided,* that no one shall be employed

for the purpose without the prior approval and authorization of the chairman of the board.

SECTION 7. The County Board of Commissioners of Greenville County is hereby authorized to reduce the annual tax levy of any subdistrict of Greater Greenville Sewer District whenever it shall appear to the commission that the levy of any such subdistrict is excessive and higher than necessary to meet the debt service requirements and operating expenses of such subdistrict.

SECTION 8. The County Board of Commissioners of Greenville County, with the approval of the Greenville County Legislative Delegation, is hereby authorized to acquire from the United States of America, or any agency, department, authority, corporation or commission thereof, by purchase, lease, loan, gift, or otherwise, such equipment, machinery, supplies, materials, or property real or personal, both as the county board of commissioners in its discretion shall deem necessary or beneficial to Greenville County or to any of its political subdivisions and to execute and deliver for and on behalf of the county, or any of its political subdivisions, any contract, lease or other instruments as may be necessary to consummate any transaction. The county board of commissioners shall make payment from the general funds of Greenville County for any property purchased hereunder, and there is hereby appropriated for such purpose from the general funds of Greenville County whatever sum or sums shall be necessary to carry out the purposes of this section.

SECTION 9. The County Board of Commissioners of Greenville County, subject to the written approval of the Supervisor of Greenville County, is hereby authorized to contract with the South Carolina Highway Department for the construction by the county of any road or street within the county, and to pay all cost of construction thereof out of the general fund for Greenville County pending the payment from the Highway Department for such construction. Any excess funds which may be received from the Highway Department over and above construction costs may be used by the Supervisor of Greenville County in improving and constructing roads within the county.

SECTION 10. No department head of Greenville County shall make any purchase or contract to purchase any materials, supplies, equipment or services in excess of one hundred dollars without prior approval of the county board of commissioners. The Board of Com-

missioners of Greenville County shall require bids on all purchases over one hundred dollars. Bids for purchases shall be obtained by advertising in a newspaper of general circulation in the county, once a week for two weeks, prior to the acceptance of any bids. The board of commissioners shall have the authority to accept or reject all bids. The board may waive advertisement for bids when it feels it is the best interest of the county to do so.

The board shall further have the right to formulate such rules and regulations as will insure proper purchasing for the county and may prescribe such forms and bookkeeping methods as may be necessary to carry out the purposes of this section. No purchases shall be approved by the board which involves any obligation over and above the appropriation provided for such purposes.

SECTION 11. Should any part or section of this act be invalidated by court decision on the grounds of illegality or unconstitutionality such decision shall render invalid or inoperative only such portion of this act as may be specifically so invalidated, the remainder to continue in full force and effect.

SECTION 12. All expenditures heretofore authorized by the Greenville County Legislative Delegation and not heretofore validated are hereby ratified and validated.

SECTION 13. No department, agency or officer of Greenville County shall receive additional pay or any overtime pay during the period for which the appropriations are made in this act.

SECTION 14. No full time county employee shall receive extra compensation from the county or private sources for work done on county time or with county equipment or supplies.

SECTION 15. This act shall take effect upon approval by the Governor.

Approved the 19th day of June, 1965.

(R9, H1034)

No. 628

An Act To Authorize The Board Of Trustees Of School District No. 52 Of Greenwood County To Borrow Not Exceeding Six Hundred Thousand Dollars; To Specify The Use Of The Money Borrowed; And To Provide For Its Repayment.

Whereas, the qualified electors in School District No. 52 of Greenwood County, in a special election held in the district on August 7, 1962, overwhelmingly approved a bond issue in the sum of two hundred thousand dollars, the proceeds from which were for the purpose of defraying a portion of the costs of building and equipping a new high school building and such facilities and other improvements in connection therewith as are needed for school purposes of the district; and

Whereas, by Act No. 550 of 1963, as amended, it was provided that, in addition to the original issue of two hundred thousand dollars, the board of trustees of the district were authorized to issue not exceeding one hundred eighteen thousand dollars for the above purposes; and

Whereas, pursuant to the acts, a total of three hundred thousand dollars in bonds of the district were issued; and

Whereas, it is found that additional funds are necessary in order to complete the building of the high school and all school facilities in connection therewith, which will not exceed six hundred thousand dollars; and

Whereas, it has been determined that, due to the increased assessed valuation in the district, an additional sum of six hundred thousand dollars in bonds or other indebtedness may be issued without raising the millage of the district. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. School District 52 of Greenwood County may borrow money.—The Board of Trustees of School District No. 52 of Greenwood County is empowered to acquire or construct and equip a high school for the district and to provide other school facilities in connection therewith or to be used by the school system of the district, and may borrow not exceeding the sum of six hundred thousand dollars, and give notes of the district therefor or, in lieu thereof, issue general obligation bonds not exceeding six hundred thousand dollars.

SECTION 2. Maturity.—All notes or bonds shall mature in such annual series or installments as the board shall provide, except that the first maturing notes or bonds shall mature within three years from the date of issue; not less than three per cent of the bonds shall mature in each year; and no note or bond shall mature later than twenty-five years from the date of issue.

SECTION 3. Redemption.—Any note or bond may be issued with a provision permitting its redemption prior to its stated maturity, at par and accrued interest, plus such redemption premium as may be prescribed by the board, if any, but no bond shall be redeemable prior to its stated maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of such bonds provision shall be made specifying the manner of call and the notice thereof that must be given as to bonds made redeemable prior to their stated maturities.

SECTION 4. Form.—The bonds shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Greenwood County, upon such conditions as the board may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

SECTION 5. Where payable.—The notes or bonds shall be made payable at such places, within or without the State, as the board shall provide, and shall bear interest at rates determined by the board.

SECTION 6. Execution.—The notes or bonds and the coupons to be attached to the bonds shall be executed in such manner as the board shall by resolution prescribe, and shall be sold at private or public sale at a price of not less than par and accrued interest to the date of their respective deliveries.

SECTION 7. Payment.—For the payment of the principal and interest of all notes or bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the school district shall be irrevocably pledged, and there shall be levied annually by the Auditor of Greenwood County, and collected by the Treasurer of Greenwood County, in the same manner as county taxes are levied and collected, on all taxable property in the school district a tax

sufficient to pay the principal and interest of the notes or bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

SECTION 8. Exempt from taxes.—The principal and interest of the notes or bonds issued pursuant to this act shall have the tax exempt status prescribed by Section 65-4.1 of the 1962 Code.

SECTION 9. Proceeds.—The proceeds from the borrowing and issuing of any notes and the proceeds derived from the sale of any bonds shall be paid to the Treasurer of Greenwood County, to be deposited in a fund for the school district, and shall be expended and made use of as follows:

(a) Any accrued interest shall be applied to the payment of the first installment of interest to become due on such notes or bonds;

(b) Any premium shall be applied to the payment of the first installment of principal of such notes or bonds;

(c) The remaining proceeds shall be expended, upon the warrant or order of the board, for the following purposes:

(1) To defray the costs of issuing the notes or bonds;

(2) To provide for additional public school facilities for the school district in the manner contemplated by this act;

(d) If, after the final completion of the board's program, the board shall certify to the Treasurer of Greenwood County that any remaining balance in the account is no longer needed for its program, then such balance shall be held by the treasurer and used to effect the retirement of the notes or bonds then outstanding, which shall have been issued pursuant to this act.

SECTION 10. Powers to be additional.—The powers and authorizations hereby conferred upon the board shall be in addition to all other powers and authorizations previously vested in the board and may be availed of pursuant to action taken at any regular or special meeting of the board.

SECTION 11. No further action required.—No action other than that prescribed in this act need be taken to effect the issuance of the notes or bonds, nor shall the board be required to obtain the approval of any public agency to any action taken pursuant to the authorizations of this act.

SECTION 12. Funds may be borrowed from Division of General Services.—The trustees may borrow any portion of the funds pro-

vided for herein from the Division of General Services. Should there be a default in the payment of any installment, the State Treasurer is directed to withhold all State funds accruing to the district, which have not heretofore been pledged, for the payment of such installment, and shall transmit the funds so withheld to the Division of General Services.

SECTION 13. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of January, 1965.

(R207, H1371) **No. 629**

An Act To Amend Act No. 1255 Of 1964, Authorizing The Finance Board Of Greenwood County To Issue General Obligation Bonds In The Amount Of Not Exceeding One Million Five Hundred Thousand Dollars, So As To Provide That The Board Shall Prescribe The Manner Of Execution Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 4 of Act 1255 of 1964 amended—execution.—Section 4 of Act No. 1255 of the Acts of 1964 is amended by striking it and inserting in lieu thereof the following:

"Section 4. The bonds and the coupons authorized by this act shall be executed in such manner as the board shall prescribe."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of March, 1965.

(R267, H1485) **No. 630**

An Act To Amend Act No. 1255 Of 1964 Authorizing Greenwood County To Issue Bonds, So As To Further Provide For The Execution Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 4 of Act 1255 of 1964 amended—execution.—Section 4 of Act No. 1255 of 1964 is amended by striking it out and inserting in lieu thereof the following:

"Section 4. The bonds and the coupons authorized by this act shall be executed in such manner as the board shall prescribe."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1965.

(R493, S361) **No. 631**

An Act To Provide For An Advisory Election For The Nomination Of Magistrates In The Walnut Grove Township And The Kinards And Brooks Townships Of Greenwood County.

Whereas, nominees for magistrate in two magisterial districts of Greenwood County have deceased since their election. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Greenwood County to have advisory election for magistrates.—The Commissioners of Elections for Greenwood County are directed to conduct an advisory election on the second Tuesday in July, 1965, for the nomination of a magistrate for the following magisterial districts of Greenwood County:

(1) Walnut Grove Township; and

(2) Kinards and Brooks Townships.

SECTION 2. When candidates to file.—Candidates for these positions shall file with the Commissioners of Elections. No filing fee shall be charged and filings shall be accepted from the effective date of this act until twelve o'clock noon, June 19, 1965.

SECTION 3. Conduct of election.—The Commissioners of Elections shall advertise these elections by legal notice published weekly for a three week period immediately preceding the elections. The elections shall otherwise be conducted in regular manner as prescribed by law. All costs of the elections shall be paid from the general fund of Greenwood County.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of June, 1965.

(R630, S391)

No. 632

An Act To Provide For An Advisory Election For The Nomination Of A Treasurer For Greenwood County.

Whereas, the nominee for Treasurer of Greenwood County has died since his election. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Greenwood County—advisory election for treasurer.—The Commissioners of Election of Greenwood County are directed to conduct an advisory election on the second Tuesday in July, 1965, for the nomination of a Treasurer for Greenwood County. If one candidate fails to receive a majority of the votes cast in the first election a second election shall be held two weeks after the first and shall be subject to the rules governing the first election. At such second election only the two candidates receiving the highest number of votes in the first election shall run for the office.

SECTION 2. Candidates—fee.—Candidates for the office shall file with the Commissioners of Election. A filing fee of two hundred dollars shall be charged and filings shall be accepted from the effective date of this act until 12:00 noon, June 19, 1965.

Should the total filing fees received be more than the cost of conducting the election the Commissioners of Election shall remit the excess proportionately to the candidates filing.

SECTION 3. Notice—conduct of.—The Commissioners of Election shall advertise these elections by legal notice published weekly for a three week period immediately preceding the elections. The elections shall otherwise be conducted in regular manner as prescribed by law. All costs of the elections shall be paid from the general fund of Greenwood County.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R642, H1912)

No. 633

An Act To Authorize The Finance Board Of Greenwood County To Issue General Obligation Bonds Of The County In An Amount Not To Exceed Seven Hundred Seventy Thousand Dollars; To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which Their Proceeds May Be Expended And To Make Provision For The Payment Of The Bonds.

Whereas, it was provided by Act No. 1255 of 1964 that the Finance Board of Greenwood County may issue and sell general obligation bonds of Greenwood County (without the necessity of holding any election) in an amount not to exceed one million five hundred thousand dollars to replace existing Greenwood County Courthouse and offices, either in whole or in part, with new, modern, and well-equipped Courthouse and offices on the property where the courthouse and offices are now located, and purchase additional property for such purposes, and to pay outstanding indebtedness already incurred for the purchase of land to be used for such purposes, and for the further purpose of refinancing any existing bonds or debts of Greenwood County, if such were deemed desirable by the Finance Board; and

Whereas, in order to complete the courthouse and provide the facilities and equipment, including the costs of land and all buildings in connection therewith, it has been determined that an additional sum not to exceed three hundred fifty thousand dollars will be needed; and

Whereas, Act No. 554 of 1963 authorized the Finance Board of Greenwood County to borrow not exceeding forty-five thousand dollars for the purpose of building, equipping and furnishing, a home for nurses and other personnel at Brewer Hospital in Greenwood County, and that such sum has been borrowed, but that it might be desirable to refinance such indebtedness; and

Whereas, Act No. 1249 of 1964 authorized the Finance Board of Greenwood County to borrow not exceeding ninety-five thousand dollars for construction of a Mental Health Center and a County Health Department Building, twenty-five thousand dollars for the construction of the Mental Health Facility and seventy thousand dollars for the construction of the County Health Building, purchase of land, and for furnishing and equipping, and it might be deemed desirable by the Finance Board, in its discretion, to issue bonds to

borrow the money under provisions of this act, rather than Act No. 1249 of 1964; and

Whereas, there are certain improvements needed at Lander College by way of the construction of a science building and plans have been developed for such building, and such is hereby declared to be needed as a facility for the people of Greenwood County; and

Whereas, the technical education and training of our people is very essential to the best interests of all citizens, and it is desired that Greenwood County shall participate in the program of the Piedmont Technical Education Commission by contributing to the costs of construction, equipping, and furnishing of a Technical Education Center for the Piedmont Technical Education and Training District. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Greenwood County may borrow money—bonds.— The Finance Board of Greenwood County is authorized to borrow, for the following purposes a sum not exceeding the amount shown opposite the respective item, which shall be for the purposes as set forth herein and as referred to above:

(1) Courthouse, not exceeding	$250,000.00
(2) To refinance a loan obtained for the purpose of building and equipping the Nurses' Home at Brewer Hospital	45,000.00
(3) Mental Health Center	25,000.00
(4) County Health Building	80,000.00
(5) Lander College	270,000.00
(6) Technical Education Training Center	100,000.00
TOTAL	$770,000.00

That, in addition to the above amounts, where refinancing is determined desirable by the Finance Board, the board may borrow an additional sum for each such item, so as to provide for the payment of interest and costs in connection with the respective loans already obtained.

The bonds shall be issued either as a single issue or from time to time in separate issues. The amount so borrowed may be borrowed at one time as part of one issue for all respective items set forth above, or may be borrowed for any one individual item or items, and the

bonds shall mature in such annual series or installments as the board shall provide, except that the first maturing bonds shall mature within three years from the date of issue; except that the maturity date of the last installment of such bonds or any series thereof shall be not later than thirty years from the date the bonds bear, and the first maturity date of any series may be postponed not more than five years from the date the bonds bear. Any bond issued may, at the discretion of the board, contain a provision permitting its redemption prior to its stated maturity at such time, upon such terms and at such premiums as shall be prescribed by the board. The bonds shall be of such denomination, shall bear such rate of interest as the board may determine, payable semiannually or on such occasion as the board shall determine. The bonds shall bear such date and be payable at such place as the board may determine. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Greenwood County, and the principal thus made payable to the registered holder, unless the last registered transfer shall have been to bearer, upon such conditions as the board may prescribe.

SECTION 2. Execution.—The bonds and the coupons authorized by this act shall be executed in such manner as the board shall prescribe.

SECTION 3. Sale.—All bonds issued pursuant to this act shall be sold by the board at not less than par and accrued interest to the date of their respective deliveries, at public sale, and at least fifteen days prior to any sale, notice, announcing the intention to receive bids for the sale of any bonds, shall be published in a newspaper of general circulation in the State. The board may reserve the right to reject any and all bids, and if all the bids received at any sale be rejected, the board may re-offer the bonds for sale at a subsequent date by way of a public offering in the manner provided above for the original offer, as a part of a separate offering or sale or as part of another offering or sale. However, if all bids received at any offering or reoffering for sale be rejected, the board may, within sixty days thereafter, negotiate a private sale of such bonds at not less than par and accrued interest and at an interest cost not greater than the most advantageous bid received at the public offering or reoffering of the bonds, or, if no bid shall be received at any such offering or reoffering, at an interest cost not greater than an average rate of four per cent.

SECTION 4. Proceeds.—The proceeds derived from the sale of the bonds shall be deposited with the Treasurer of Greenwood County in a special fund, separate from all other funds, and shall be expended for the following purposes:

(1) Any accrued interest shall be applied to meet the first installment of interest to become due on the bonds.

(2) Any premium received shall be applied to the payment of the first or any subsequent installment of interest to become due on the bonds.

(3) The balance of the proceeds shall be expended upon the order or warrant of the board for:

(a) The cost and expenses of issuing the bonds authorized hereby;

(b) To defray the cost of removing the old courthouse or buildings or any part thereof, to construct and equip a new courthouse and offices in connection therewith, to purchase additional lands for such purposes, and to pay any obligation already incurred by Greenwood County for the purchase of land to be used for such purposes; to refinance the indebtedness incurred in the building and equipping of the Nurses' Home at Brewer Hospital as aforesaid; to provide funds for or to finance or refinance any indebtedness or expenditure incurred in connection with the Mental Health Center; to provide funds for the purchasing of land, building of a building, furnishing and equipping for a County Health Building or Center, and to finance or refinance any indebtedness or expenditure incurred in connection therewith; to provide funds for the building and equipping and providing for a science building at Lander College; to provide funds for assisting in the building of a building, furnishing and equipping same, as a Technical Education Center for the Piedmont Technical Education and Training District.

(c) If any money shall remain after making the foregoing applications to the individual items or purposes for which they were borrowed, the remainder shall be held by the Treasurer of Greenwood County and applied to the retirement of bonds issued pursuant to this act, either interest or principal, as they may become due. No purchaser or subsequent holder of any of the bonds shall look to or be responsible for the proper application of the proceeds to the purposes for which such bonds are issued.

(4) All funds shall be paid out by the board on vouchers signed by the chairman of the committee.

SECTION 5. Payment.—For the payment of the principal and interest of all bonds issued pursuant to this act as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of Greenwood County are hereby irrevocably pledged and there shall be levied annually by the Auditor of Greenwood County and collected by the Treasurer of Greenwood County, in the same manner as other county taxes are levied and collected, a tax without limit upon all taxable property in the county, sufficient to pay the principal of and interest on such bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

SECTION 6. Exempt from taxes.—The principal and interest of all bonds issued pursuant to this act shall have the tax exempt status prescribed by Section 65-4.1, Code of Laws of South Carolina, 1962.

SECTION 7. Saving clause.—Should any provision of this act be held illegal or unconstitutional, it shall not vitiate the remaining provisions of this act, but all such provisions not held illegal or unconstitutional shall remain in full force and effect.

SECTION 8. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of June, 1965.

(R643, H1913)

No. 634

An Act Authorizing The Greenwood Metropolitan Commission To Sell Bonds To Extend Sewer Trunk Lines In Certain Areas Of The Greenwood Metropolitan District.

Whereas, in order for the Greenwood Metropolitan Commission to accomplish the purpose for its creation of establishing and operating a coordinated and unified system of sewerage disposal in the Greenwood Metropolitan District, it will be necessary for the commission to extend sewer trunk lines into and through additional water shed areas of the district; and

Whereas, it will be necessary to borrow funds for the purpose of extending the trunk line system of the commission, and the financial condition of the commission and the income received from the tax levy of six mills established for the payment of the initial bonds

of the commission in 1959 indicate that such additional funds as will, from time to time, be needed can be borrowed and repaid on the basis of income now being received and to be received from the six mill levy without the requirement of an increase in such levy. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Greenwood Metropolitan Commission may issue bonds.—The Greenwood Metropolitan Commission is authorized to issue and sell bonds of the Greenwood Metropolitan District in such amounts as it may determine necessary and feasible for the purpose of constructing sewer trunk lines as an extension and enlargement of the existing trunk line disposal system of the commission. The bonds shall be of the denomination of one thousand dollars or the multiple thereof, and shall bear interest not to exceed five per cent per annum, payable annually or semiannually, as the commission shall determine. They shall mature all at one time, or in series or installments, as the commission shall determine, but all shall mature within forty years from date. They shall be exempt from all State, county and municipal taxes. The bonds shall be signed by the chairman of the commission and attested by its secretary and the official seal of the district shall be affixed. The interest coupons need not be authenticated other than by the facsimile signature of the officials lithographed or engraved thereon. The bonds shall be issued and sold from time to time, and in such amounts as the commissioners shall determine, the sales to be made to the highest bidders for cash, after advertisement, as the commission shall deem proper. No bonds shall be sold at less than par and accrued interest to date of delivery. The commission shall have the right to reject any and all bids.

SECTION 2. Payment.—Until the principal and interest of all bonds issued by the commission shall be fully paid, there shall be levied annually on all taxable property in Greenwood Metropolitan District a tax sufficient to pay such interest as it becomes due and to provide a sinking fund sufficient to pay the principal at the date or dates of its maturity.

SECTION 3. Proceeds.—The proceeds of the sale of the bonds shall be kept by the county treasurer as a separate fund and shall be

paid out only upon orders or warrants of the Greenwood Metropolitan Commission for the purposes specified in this act.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of June, 1965.

(R648, H1909) **No. 635**

An Act To Provide For The Financing Of Construction, Repair And Improvement Of County Roads In Greenwood County By The Issuance Of Not Exceeding Two Hundred Thousand Dollars Of General Obligation Bonds Of The County And By The Pledge Of Certain Revenues, And To Provide A Tax Levy For The Retirement Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Greenwood County may issue bonds.—The Finance Board of Greenwood County is authorized to issue and sell coupon bonds of Greenwood County in an amount not to exceed two hundred thousand dollars. The proceeds of the bonds shall be used to defray the costs of constructing, repairing, and improving such county roads in Greenwood County as may be determined by the finance board.

SECTION 2. Issues—maturity—redemption—interest.—The bonds may be issued either as a single issue, or from time to time in several separate issues. They shall mature serially in successive annual installments of such amounts as may be determined by the finance board, except that the maturity schedule shall be so arranged that not less than fifteen thousand dollars nor more than fifty thousand dollars of the bonds shall mature in any year. The maturity date of the first installment may be fixed for any occasion not later than three years from the date of the first series of bonds, and the maturity of the last installment shall not be later than twenty years from the date of the first series of bonds. Any of the bonds may, in the discretion of the finance board, contain a provision permitting its redemption prior to its stated maturity at such premiums as the finance board shall determine. The bonds shall bear such rate of interest, bear such date or dates, and be payable at such place or places as the finance board may determine.

SECTION 3. Execution.—The bonds shall be executed in the name of Greenwood County by the finance board under such official seal as the board shall designate. The bond coupons may be authenticated by the facsimile signatures of any two members of the finance board lithographed or engraved thereon.

SECTION 4. Sale.—The bonds may be sold by the finance board at not less than par and accrued interest to date of delivery, at public sale or private sale. The form, manner and occasions of the advertisement shall be determined by the board.

SECTION 5. Proceeds.—The proceeds derived from the sale or sales of the bonds shall be deposited with the county treasurer in a special fund, separate and distinct from all other funds, shall be applied solely for the purposes for which the bonds were issued, and may be expended only upon the warrants or orders of the finance board; *provided,* that the accrued interest, if any, shall be applied to the first installment of interest to become due on each series of bonds, and the premium, if any, shall be applied to the payment of the first installment of principal of any series of bonds.

SECTION 6. Exempt from taxes.—The bonds, both as to principal and interest, shall be exempt from all State, county and municipal taxes of the State of South Carolina.

SECTION 7. Payment.—The full faith, credit and taxing power of Greenwood County are hereby pledged for the payment of the bonds and interest, and the Auditor and Treasurer of Greenwood County, respectively, are hereby directed to levy and collect annually a tax upon all taxable property in the county, sufficient to pay the principal and interest on the bonds as they respectively mature, and to create a sinking fund for the redemption of the bonds and interest at respective maturities.

There is also pledged for the payment of the bonds and interest, such sums as Greenwood County shall from time to time receive from the State gasoline tax, subject, however, to the prior pledges securing payment of the principal and interest of the note of Greenwood County, dated April 22, 1957 and the bonds of Greenwood County issued pursuant to Act No. 1117 of 1962. The county treasurer shall set apart this revenue in a special fund and, after making the annual payments of principal and interest on the obligations secured by the prior pledges above set forth, shall apply the remaining funds solely

to the payment of the principal and interest of the bonds authorized by this act. The annual ad valorem tax herein directed to be levied shall be reduced in each year by the amount of these funds available for payment on the bond debt at the time the tax for such year is required to be levied.

The General Assembly, after due investigation, determines that the sums which will be available from the State gasoline tax will be in all likelihood sufficient to meet the payments of principal and interest of the bonds authorized by this act.

SECTION 8. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of June, 1965.

(R649, H1911)

No. 636

An Act To Amend Section 5 Of Act No. 441 Of 1959, As Amended, Relating To The Greenwood Metropolitan District, So As To Authorize The Commission To Pay The Engineering Fee From The Excess In The Bond Sinking Fund.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 5 of Act 441 of 1959 further amended—records—audit—bids—payment of fees.—Section 5 of Act No. 441 of 1959, as amended, is further amended on line twelve by inserting "and engineering fee for survey of possible trunk line extension in connection with enlargement of the system" between the words "audit" and "may". The section when amended shall read as follows:

"Section 5. The commission shall keep a permanent record of its proceedings, which shall be at all times accessible to the public, and also of all contracts made by it, and an accurate map and plan of the work done and projected, and shall keep proper books showing in detail all moneys received and disbursed by it. The books shall be audited annually by an independent auditing firm selected by the commission. The commission shall advertise for bids for at least thirty days in one or more newspapers published in the district on contracts for work to be done and materials to be furnished, and shall have the right to reject any and all bids and to enter contracts with the lowest responsible bidders. *Provided,* that the cost of the annual audit

and engineering fee for survey of possible trunk line extension in connection with enlargement of the system may be paid for from the excess funds in the Bond Sinking Fund of the district."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of June, 1965.

(R681, H1744)

No. 637

An Act To Create The Greenwood County Beautification Committee.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Beautification committee created for Greenwood County.—There is hereby created a beautification committee for Greenwood County to be composed of eleven residents of the county to be selected by a majority of the legislative delegation. Members of the committee shall serve without compensation.

SECTION 2. Terms—officers.—The members of the committee shall serve for four years and until their successors have been selected and qualified except of those first selected five shall serve for terms of two years. The committee shall meet as soon after the selection of its members as is practicable and elect one of its members as chairman. The committee may elect such other officers as it deems necessary. The members shall determine by lot which of them shall serve initial terms of two years. A list of the members and the length of their terms shall be filed with the County Clerk of Court by the chairman. The committee shall then file with the Clerk of the County Finance Board a list of the members of the committee and their terms as so determined.

SECTION 3. Duties.—The committee shall make continuing studies concerning the beautification of the county under such procedure as it may decide upon and forward its recommendations to the county supervisor and to the legislative delegation.

SECTION 4. Duties of county supervisor.—Within the limits of available labor and funds the county supervisor shall carry out the recommendations of the committee. In the event the supervisor dis-

agrees with a recommendation of the committee, he shall within five days after being presented with the recommendation submit the issue to the governing body of the county whose decision shall be final.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R730, H1919) **No. 638**

An Act Authorizing The Finance Board Of Greenwood County To Sell Real Property.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Greenwood County may sell property.—The Finance Board of Greenwood County is authorized to sell two tracts of land; the first parcel, twenty-five acres of real property, to the Piedmont Technical Education Commission; and the second parcel, approximately twenty-four thousand and fifty square feet, more or less, of the courthouse lot, to the City of Greenwood for the sum of forty-one thousand dollars.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of June, 1965.

(R734, H1907) **No. 639**

An Act To Provide For The Levy Of Taxes For Greenwood County For The Fiscal Year 1965-1966, And For The Expenditure Thereof; To Provide For Emergency Financing Of The County And Its School Districts; To Provide For The Sending Out Of Tax Notices, Fixing School District Levies And For A General School Levy, And For The Expenditure Thereof; To Validate Prior Actions Or Disbursements; To Authorize The Publication Of Financial Statements; And To Provide Penalties For The Violation Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. A tax of sufficient mills to pay the appropriations for Greenwood County hereafter made for the fiscal year beginning July 1, 1965, and ending June 30, 1966, after crediting against the appropriation all other revenue anticipated to accrue to the county during the fiscal year, not earmarked for specific purposes, is hereby levied upon all the taxable property of Greenwood County. The amount of millage shall be determined by the County Auditor in consultation with the Legislative Delegation and Finance Board of Greenwood County.

SECTION 2. There is hereby appropriated for Greenwood County for the fiscal year beginning July 1, 1965, and ending June 30, 1966, the following sums of money in the amounts and for the purposes herein set forth as follows:

Item 1. Road Maintenance Supervision:	
A-1. Groceries	$ 12,500.00
A-2. Salaries and Labor	45,000.00
A-3. Fuel Oil and Grease	15,000.00
A-4. Bridge Material	10,000.00
A-5. Road Material and Maintenance	26,000.00
A-6. Clothing and Camp Service	9,500.00
A-7. Medical Service and Medicine, Insurance on county equipment and miscellaneous items	4,000.00
A-8. Parts and Repairs	18,000.00
A-9. Supervisor's Salary	7,000.00
A-10. Clerk of Finance Board, Salary	7,000.00
A-11. Secretary to Supervisor and Finance Board	3,650.00
A-12. Additional Clerical Help, central pool for all offices, to be administered by the Finance Board	7,000.00
A-13. County Physician	600.00
Serving chain gang, jail and cases approved by the Department of Public Welfare anywhere in Greenwood County; *provided,* the County Physician shall be selected by a majority vote of the Finance Board.	
A-14. County Engineer, base salary	1,200.00
Total Item 1	$166,450.00

Item 2. Law Enforcement:

B-1. Sheriff's Salary	$ 7,000.00
B-2. Nine Deputy Sheriffs at $5,000.00 each	45,000.00
B-3. Secretary to Sheriff	3,450.00
B-4. Transportation of Prisoners	200.00

B-5. Constables:

All constables provided for herein shall have jurisdiction throughout the County of Greenwood, any provision of law to the contrary notwithstanding, and all constables shall be subject solely to the direction and supervision of the sheriff of the county. Any vacancies occurring among the constables shall be filled by the sole appointment of the sheriff.

(a) At Ninety Six Cotton Mill	5,000.00
Provided, the Ninety Six Cotton Mill shall reimburse Greenwood County for $2,500.00.	
(b) His Auto Upkeep and Traveling Expenses	300.00
Provided, that Ninety Six Cotton Mill shall match this travel with the same amount.	
(c) Matthews Mill (1)	5,000.00
Provided, that Matthews Mill shall reimburse Greenwood County in the sum of $2,500.00.	
(d) His Auto Upkeep and Traveling Expenses	200.00
Provided, that Matthews Mill shall match this travel with the same amount.	
(e) At Ware Shoals, County's one-half part of four constables at $2,500.00	10,000.00
(f) Their Auto Upkeep and Traveling Expenses for Chief of Police and Deputies at Ware Shoals	750.00
Provided, that Ware Shoals shall match this travel with the same amount.	
(g) Harris Mill	5,000.00
Provided, Harris Mill shall reimburse Greenwood County in the sum of $2,500.00.	
(h) Auto Upkeep and Travel Expense, Harris Mill Deputy	200.00
Provided, Harris Mill shall match this travel with the same amount.	

Provided, that the appropriations for auto expenses and traveling expenses provided for in Items (b), (d), (g) and (h) shall be paid to the respective mill companies and shall be disbursed by them.

(i) Ware Shoals West End—Law Enforcement, two deputies, salary to be fixed by association .. 5,000.00
This fund is intended to match the funds provided by West End Merchants Association for law enforcement in that community. Payment from the fund shall be made only on written orders of the Secretary of the Association, to which must be attached a sworn statement of the Secretary showing the purpose of the proposed expenditure, that it has been authorized by a majority of the Association and that the Association has already expended a like amount for the same purpose.

B-6. Jail Expenses, including dieting of prisoners at $1.25 per day 8,500.00

B-7. National Guard Units 2,500.00
Provided, that this amount shall be divided among the three units and two armories located in Greenwood County on the basis of $500.00 to each armory and $500.00 to each unit.

B-8. One-half of Fingerprint and Picture Record of all prisoners (other half by City) 360.00

B-9. Miscellaneous Expense fund, Sheriff's office, for equipment, secret service work, photographs, and other miscellaneous expense. *Provided,* a portion of this fund, not to exceed $100.00 at any one time, may be retained by the sheriff as a petty cash fund, expenditures from which shall be validated by vouchers 1,500.00

B-10. Officers' Uniforms 2,537.50
Provided, that this appropriation shall be disbursed as follows: nine deputy sheriffs in sheriff's office and Delinquent Tax Collector, $175-.00 each; all other constables and deputies (9),

as the county's half part, $87.50 each; *provided,* that the same be matched as to each constable as hereinabove provided for travel and auto expense.

B-11. Insurance on Officers' Cars 3,200.00

B-12. Clerk of Court 1,300.00

The office of clerk of court is a fee office supplemented by the amount above, and the clerk is required to pay from his fees, including this supplement, the salaries of his employees and office expenses, and it is hereby declared that such has always been the case; *provided,* however, that should the clerk's income be less than $7,000.00 after payment of salary of clerk and other temporary or emergency assistance paid on a proportionate basis to the salaries of other county clerical employees and after payment of office expenses, the county shall pay the difference upon showing made by affidavit of income and expenses.

B-13. Attorney 1,200.00

Provided, the attorney shall be selected by a majority vote of the Finance Board.

B-14. Coroner:

Salary 1,260.00

Travel 300.00

B-15. Post mortems, inquests and mental commitments 2,000.00

Provided, the secretary taking and transcribing inquest testimony shall be paid $10.00 per inquest.

B-16. Inquest Jurors, at $2.00 each per inquest 300.00

Magistrates:

B-17. Greenwood 5,200.00

B-18. Ware Shoals 2,415.00

B-19. Ninety Six 1,415.00

B-20. Hodges and Cokesbury 1,155.00

B-21. Troy 160.00

B-22. Oak Grove 160.00

B-23. Callison, Phoenix and Kirksey 160.00
Provided, the salaries designated shall be the full compensation of the magistrates and all fees for civil and criminal procedures shall be remitted by the magistrates to the county treasurer and credited to the general fund of the county.

B-24. Clerk of Greenwood Magistrate 3,500.00

B-25. Jurors and Witnesses in Circuit Court and County, Civil and Domestic Relations Court .. 10,000.00
Provided, that grand jurors receive $10.00 per day each and petit jurors and bailiffs receive $7.50 per day each and ten cents per mile one way for term.

B-26. Jurors serving in Magistrates' Courts 400.00
Provided, that Jurors serving Magistrates' Courts shall receive two dollars per day.

B-27. Judge of Probate 6,300.00
Provided, the salary hereby appropriated shall be in lieu of all fees received by the judge of probate for the services and processes of his office and all such fees shall be remitted by the judge of probate to the county treasurer and credited to the general fund of the county; *provided,* however, that this shall not affect the statutory rebates of inheritance tax provided under Section 27-303, Code of Laws of South Carolina, 1962, which section provides that the probate judge shall receive such rebates in addition to his other fees and salaries; *provided,* further, this clause shall have no effect upon services rendered as master in equity, which is a separate capacity and the fees for which services are designated by general state law.

B-28. Clerk for Judge of Probate and Master 3,500.00

B-29. Clerical Assistance, Probation Officer, Greenwood County Share 420.00

B-30. Coordinator between the solicitor and the police officers of the Eighth Judicial Circuit—Greenwood County contribution 1,800.00

Provided, the solicitor shall formally designate the person to serve as coordinator and to receive payment hereof prior to payment of this item.

	Total Item 2	$148,642.50
Item 3.	Farm Aid:	
C-1.	County Agent—Salary Supplement	$ 380.00
C-2.	Associate Agent—Salary and Travel	760.00
C-3.	Supplies:	
	Home Demonstration Agents	125.00
	Associate Agricultural Agent	50.00
C-4.	Home Demonstration Work for Girls	200.00
C-5.	Boys' 4-H Club Work	200.00
C-6.	Clerical Assistance—Associate Agent	1,500.00
C-7.	Vocational Agriculture Teacher-Travel	240.00
C-8.	Fire Control, payable $630.00 each to fire ranger and two fire wardens for expense and $503-.00 supplement to salary of tractor operator	2,393.00
	Breeders Association	600.00
	Total Item 3	$ 6,448.00
Item 4.	Collection of Taxes:	
D-1.	Treasurer's Salary	$ 2,839.00
	This amount in addition to the amount provided by the State provides a total salary for the Treasurer of $7,000.00.	
D-2.	Chief Clerk for Treasurer	3,650.00
D-3.	Auditor's Salary	2,839.00
	This amount in addition to the amount provided by the State provides a total salary for the Auditor of $7,000.00.	
D-4.	Chief Clerk for Auditor	3,650.00
D-5.	Tax Collector	5,000.00
D-6.	Secretary to Tax Collector	3,500.00
D-7.	Board of Assessors and Tax Appeals	3,500.00
	Travel and miscellaneous expense	265.00
D-8.	Tax Assessor and Mapping Office Assessor	5,600.00
	Two assistants @ $4,000.00	8,000.00
	Chief Assistant	4,500.00

Three assistants @ $3,800.00	11,400.00
One utility man @ $3,000.00	3,000.00
Four tape men @ $2,080.00	8,320.00
One clerk @ $3,400.00	3,400.00
One clerk @ $3,200.00	3,200.00
Engineering & Miscellaneous	300.00
Total	$ 47,720.00

D-9. Sending Out Tax Notices:

(1) Treasurer's Office	$ 1,500.00
(2) Delinquent Tax Collector's Office	600.00
Total Item 4	$ 75,063.00

Item 5. Health Service:

E-1. County Health Department	$ 48,388.00
Provided, the increase of $2,414.00 in the appropriation for this department shall be for salary increases for personnel of the department, so that when combined with the increase in state appropriation the increase for each employee shall be five per cent.	
E-2. Charity Patients at Self Memorial Hospital or other institutions as approved by the Department of Public Welfare	15,756.00
E-3. Brewer Hospital, for charity patients to be disbursed in twelve equal monthly payments	50,040.00
E-4. Mental Health Clinic for the participation of Greenwood County in a Regional Mental Health Program or Clinic if such a program is instituted with the approval of the South Carolina Mental Health Commission, and in accord with the proposal submitted to the Delegation	10,407.00
Total Item 5	$124,591.00

Item 6. Public Welfare and Other Assistance:

F-1. For boarding homes and emergency relief and matching State funds if needed	$ 2,000.00
F-2. Telegrams and Long Distance Telephone calls	100.00
F-3. Expenses of Child Welfare Worker	600.00

Provided, that the above sum shall be payable in equal monthly installments of $50.00 without the necessity of itemizing same.

F-4.	To supplement salaries of personnel of Department of Public Welfare, to be administered by the County Welfare Board	3,720.00
	Veterans' Service Office:	
F-5.	Salary of Service Officer	6,000.00
F-6.	Salary of Office Help	3,400.00
F-7.	Office Expense and Travel	300.00
	Provided, the funds, if any, provided by the State for the support of Veterans' Service Officer of Greenwood County shall be applied to the payment of the foregoing salaries and expenses and not duplicated.	
F-8.	Office Rent for Service Officer	425.00
	Total Item 6	$ 16,545.00
Item 7.	Contractual Services:	
G-1.	Public Buildings, including water, fuel, lights and insurance, and extra janitorial help	$ 13,500.00
G-2.	Repairs at Lander College	18,000.00
G-3.	Printing and Stationery	3,000.00
G-4.	Postage	1,050.00
G-5.	Office Supplies	4,000.00
G-6.	Office Equipment and Repairs	4,000.00
G-7.	Clerk of Court, Supplies	6,500.00
G-8.	Telephone and Telegrams	4,500.00

Telephones shall be located in such of the county offices and in the manner as designated by the Finance Board, and in the homes of the sheriff, the Greenwood Magistrate, the supervisor, the coroner, the deputy sheriffs stationed at the courthouse, the eight state patrolmen doing enforcement work in Greenwood County at $4.00 each per month, the chief constable at Ware Shoals and the constables at Mathews Village, Harris Village and Ninety Six Village; *provided,* one-half of the charges for service in the homes of the constables shall be contributed by

	the respective manufacturing companies. All long distance messages shall be itemized and verified before payment from this fund.	
G-9.	Janitor Service	4,800.00
G-10.	Paupers' Funerals	200.00
G-11.	Workmen's Compensation Fund	2,500.00
G-12.	Premiums of Officers' Bonds	1,000.00
G-13.	Police Officers' Retirement System	6,500.00
G-14.	South Carolina Retirement System and Social Security	17,000.00
	Provided, the county shall pay the employers' contribution to the Retirement System for officials receiving fee income only to the extent of $7,000.00 and officials having income in excess of that amount shall pay the full contribution required on income in excess of $7,000-.00 by reimbursing the county for payments required of it on such account.	
G-15.	Servicing radios in Sheriff's cars	720.00
G-16.	Airport utilities, county's share	600.00
G-17.	Central gas, oil, and servicing for county-owned cars	5,000.00
G-18.	Gas and oil for county-owned cars when away from central supply	75.00
G-19.	Central Fund—parts, repairs and tires for county-owned cars	4,000.00
	Total Item 7	$ 96,945.00
Item 8.	Civil and Domestic Relations Court:	
	This Court is being created by accompanying legislation to be effective September 1, 1965. Until that date the appropriations herein provided are for the continuation of the present Juvenile and Domestic Relations Court of the county.	
H-1.	Judge, at $400.00 per month until September 1, thence on basis of compensation equivalent to 62% of the salary of the circuit judges of the state	$ 10,800.00

H-2.	Probation Officer	5,000.00
H-3.	Secretary	3,650.00
H-4.	Assistant Probation Officer	3,650.00
H-5.	Intake Worker	3,650.00
H-6.	Travel Allowance:	
(1)	Probation Officer	300.00
(2)	Assistant Probation Officer	500.00
	Provided, that the above shall be payable in equal monthly installments without the necessity of itemizing same.	
H-7.	Miscellaneous Expense Fund	300.00
H-8.	Court Stenographer (after January 1, 1966)	1,825.00
	Total Item 8	$ 29,675.00
Item 9.	County Board of Education	$ 15,555.00

This appropriation is to be expended by the board along with state funds received and disbursed by it for the following purposes: telephone and supplies, supplement to salary of executive sercetary (not to exceed $1,800.00), clerical assistance, travel allowances, operation of the school lunch office (including increased supplements to the salaries of the supervisor and secretary), freezer plant storage of foods, adult education, compensation and travel of board members at the rate of $5.00 per meeting and five cents per mile travel, and for such other educational purposes as the board may determine.

Provided, from this appropriation the board is directed to hire an associate visiting teacher at appropriate compensation, who shall be assigned the duty of working closely with various community and population groups of the county in promoting and encouraging attendance.

The board is authorized to create the office of executive or administrative secretary to the board, which officer shall have all of the powers

	and duties heretofore imposed by law on the county superintendent of education.	
	Total Item 9	$ 15,555.00
Item 10.	Miscellaneous:	
K-1.	Civil Air Patrol	$ 400.00
K-2.	Civil Defense, for expenses, supplies, equipment and administration ..... *Provided,* that the civil defense program of the county qualify to receive matching funds from State and Federal sources.	5,000.00
K-3.	Planning Commission	400.00
K-4.	Greenwood Rescue Squad	1,200.00
K-5.	Registration Board—supplement to salaries of members of board at $300.00 per member	900.00
K-6.	Data Processing Commission—County share ..	15,360.00
K-7.	Road bonds and notes, payment of principal, interest and fiscal agents fees; *provided,* the county treasurer is instructed and authorized to expend the necessary amounts in payment thereof, even in excess of this appropriation	43,030.00
K-8.	Municipalities and communities are allocated and appropriated the following amounts from the county's receipts from gasoline tax; *provided,* these funds be expended only for street and highway improvements and maintenance:	
(1)	City of Greenwood	33,600.00
(2)	Town of Ninety Six	2,500.00
(3)	Ware Shoals Water and Sewer District ..... *Provided,* these appropriations shall not be disbursed until Item K-7 has been paid or funds sufficient therefor are reserved for such payment.	1,000.00
K-9.	Purchase of automobiles, trucks and equipment for road maintenance	20,000.00
K-10.	Subdivision road reimbursement contracts	12,000.00
K-11.	Special School—Occupational Day Center	5,000.00
	Total Item 10	$140,390.00

Item 11. Miscellaneous Contingent Fund for emergencies and unforeseen expenditures during the fiscal year 1965-1966, and for the auditing of county books ..... $ 12,500.00

Provided, in no event shall any portion of this fund be used for which a specific appropriation is made herein.

Provided, further, the financial books and records of the county for the preceding fiscal year shall be audited by such certified public accountant as shall be designated by the county legislative delegation, in accord with the provisions of Section 14-2221 of the 1962 Code.

Total Item 11	$ 12,500.00
GRAND TOTAL	$832,804.50
Anticipated Revenue 1965-1966 other than taxation:	
Fines, Forfeitures & Licenses	$ 80,000.00
Insurance License Tax	53,000.00
Bank Tax	8,500.00
Beer & Wine Tax	13,500.00
Alcoholic Liquor Tax	51,500.00
Income Tax	73,000.00
National Forest Fund	8,500.00
State contribution on service officer salary	4,815.00
Gasoline Tax	203,000.00
Reimbursement from industrial companies for constables	7,500.00
Miscellaneous income (fees, etc.) and interest	36,500.00
Delinquent tax execution fees and penalties	12,000.00
Delinquent taxes	16,000.00
TOTAL	$567,815.00
Balance to be raised by 1965 county tax (13 mills)	$264,989.50

SECTION 3. The amounts herein appropriated shall be paid out as near as practicable one-twelfth each month during the year 1965-1966, and if any item or salary has been overpaid for any month, such overpayment shall be deducted the following month. All accounts shall be kept separate and distinct and expended only for the purposes for which appropriated; *provided,* the amounts herein appropriated for the specific items as set out herein shall not, nor shall any part thereof, be used for any other purpose except upon the written consent of the Senator and a majority of the members of the House of Representatives from Greenwood County. *Provided,* no claim or bill shall be approved or paid unless same shall state fully, under oath, what it is for, or give the kind or quality of thing or commodity which it represents, in addition to the amount and time furnished. The money herein appropriated for auto upkeep and travel and for other expenses of county officials shall be paid out only upon itemized claims which have been verified by the official incurring the expenses and approved by the Supervisor and the Clerk to the Finance Board.

SECTION 4. The Finance Board of Greenwood County, with the approval of the Senator and a majority of the members of the House of Representatives from Greenwood County, be, and they are hereby authorized and empowered to make regulations or take such action as may be necessary under any emergency which may arise before the convening of the next session of the General Assembly, for the financing of the affairs of Greenwood County, both the general county matters and all school matters, with the further provision that a full and complete record of any action taken under the provisions of this section shall be kept by the Secretary of the Finance Board; *provided,* before any action is taken by the Finance Board in connection with this section, it shall call a joint meeting of the members of the Greenwood County Legislative Delegation in the General Assembly and the Finance Board to discuss such action. *Provided,* further, formal minutes shall be taken and transcribed in writing and maintained in a permanent minutes book of all formal meetings of the Finance Board of the county and all joint meetings of the Finance Board and the County Legislative Delegation, such minutes reporting all actions and decisions of the Finance Board on all items of county business and administrative matters which are not otherwise recorded or evidenced in written form.

SECTION 5. In case of emergency the Finance Board of Greenwood County may with written approval of the Greenwood County Legislative Delegation borrow sufficient funds to carry out the terms of this act or to meet such emergency, pledging as security therefor any surplus in the sinking fund, general fund, or by tax levy when approved by the Delegation.

SECTION 6. Immediately upon receiving tax duplicates from the County Auditor, the County Treasurer shall cause to be mailed to each taxpayer listed thereon whose post office address is available, a written or printed notice stating thereon the amount of taxes assessed against the said taxpayer for the current year, with such other information as the County Treasurer may deem desirable. This service to the taxpayers being gratuitous, no obligation shall rest upon the county or State, or County Treasurer for any failure or mistake on the part of the County Treasurer in giving or failing to give the notice.

SECTION 7. The Senator and a majority of the members of the House of Representatives from Greenwood County after consulting with the Superintendent of Education and the trustees of the respective school districts as to their respective needs are hereby authorized to determine and fix the levy for school purposes for each school district in Greenwood County. The school trustees in each district in Greenwood County are hereby directed to see that all claims presented for payment are duly itemized and verified and shall state the purpose for which the said claims are drawn and the County Board of Education is hereby prohibited from approving any claim unless so drawn.

SECTION 8. The Finance Board shall employ all clerical personnel, both full and part time, for all county offices, after consultation with the department head or officer in charge of each office. No county employee shall be discharged without the prior written concurrence of the Finance Board.

SECTION 9. Any officer or employee, who disregards any of the provisions of this act without the written consent of the Senator and a majority of the members of the House of Representatives from Greenwood County kept on file in the office of the County Supervisor, shall be guilty of a malfeasance in office and subject to removal, in addition to the punishment now provided by law.

SECTION 10. A majority of the qualified electors of Greenwood County having voted in favor of financial support of Lander College at the election held on May 2, 1951, the Auditor of Greenwood County is authorized and directed to levy, and the Treasurer of Greenwood County to collect, a tax not to exceed four mills on all of the taxable property in Greenwood County, the proceeds of which shall be used in conjunction with other college revenues to defray the operating expenses of the college.

SECTION 11. The Finance Board will pay claims out of the appropriation of Item 5-B for the benefit of patients who are citizens of Greenwood County only when submitted in an itemized form by the hospital rendering the services, showing the name of each person hospitalized supported by the affidavit of the proper officer of the hospital and certificate of the Department of Public Welfare to the effect that they have examined the person's financial ability, and that they have found such person financially unable to pay for his hospitalization, provided that claims submitted for payment will not exceed the actual cost of services rendered which will include only ward rates.

The Department of Public Welfare is hereby designated as the agency to make financial investigations for those patients requesting charity hospitalization, as provided for by an act of the General Assembly, 1958, entitled "An Act To Prescribe The Duties And Responsibilities Of The Greenwood County Department Of Public Welfare Concerning Indigent Patients To Receive Hospital And Medical Care At The Expense Of The County."

Provided, that no person shall be hospitalized as a charity patient for a period of time in excess of ten days, unless the Finance Board shall have previously approved a longer stay. The Finance Board may approve a longer stay if it is made to satisfactorily appear from statements from the superintendent of the hospital, the doctor in charge of the patients, and the Department of Public Welfare that a longer stay is absolutely necessary from the standpoint of the patient and the financial condition of the patient warrants a further extension of charity from the county. No extension shall be for a period in excess of ten days. *Provided,* further, that in no event shall more than four thousand eight hundred dollars be expended or obligated in any one calendar month for all charity patients.

SECTION 12. Members of county boards and commissions and county employees using their own automobiles in travel on county business shall receive reimbursement therefor at the rate of nine cents per mile actually traveled on county business, to be paid from appropriations provided therefor. *Provided,* that this section shall not apply to county officers for whom there is appropriated a lump sum travel allowance.

SECTION 13. The County Treasurer is hereby authorized and directed to publish in the county newspapers a statement reflecting the financial condition of the county as of June 30, 1966.

SECTION 14. All prior actions or disbursements taken or made, as a result of any resolution or action by the Legislative Delegation of Greenwood County, are hereby validated, ratified, confirmed and declared to be legal and binding.

SECTION 15. Any surplus in the general fund of the county or any funds accruing from any other source to the credit of the General Fund for Greenwood County during the fiscal year shall be used as a contingent fund and spent on the authorization of a majority of the Greenwood Legislative Delegation including the Senator.

SECTION 16. The Finance Board of Greenwood County is authorized to expend from the bond account sinking fund any cash in such fund which is not pledged and which in the opinion of the Finance Board is available for such use upon the total cost of the new courthouse project, including the purchase of lands, construction, furnishings and fees.

SECTION 17. The Treasurer and the Finance Board of Greenwood County are authorized to refund the following tax payments heretofore made to Greenwood County which have been determined by due process to have been paid in error:

Ansel B. Talbert Septic Tank Company .....$	10.04
Ronald Edward Koon	1.00
Ware Shoals Water and Sewer District	32.94

SECTION 18. If any clause, phrase, sentence, paragraph, or section of this act shall be held invalid, same shall not affect the validity of remaining phrases, clauses, sentences, paragraphs or sections.

SECTION 19. This act shall take effect upon approval by the Governor.

Approved the 19th day of June, 1965.

(R241, H1435)

No. 640

An Act Providing For The Creation Of Watershed Conservation Districts In Hampton County, And The Election Of Directors Of Watershed Conservation Districts And Their Powers And Duties; And Providing For A Levy Of Taxes For The Organization And Administration Of Such Districts, And For The Construction, Operation And Maintenance Of Works Of Improvement Within Such Districts.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Definitions.—Whenever used or referred to in this act, unless a different meaning clearly appears from the context:

(1) "Watershed conservation district" means a governmental subdivision of this State, and a public body corporate and politic, organized in accordance with the provisions of this act, for the purposes, with the powers, and subject to the restrictions hereinafter set forth.

(2) "Director" means one of the members of the governing body of a watershed conservation district, elected in accordance with the provisions of this act.

(3) "Supervisor" means one of the members of the governing body of the Hampton Soil Conservation District in which any part of a watershed conservation district is situated.

(4) "Petition" means a petition filed under the provisions of Section 4 of this act for the creation of a watershed conservation district.

(5) "County" means Hampton County of South Carolina.

(6) "Landowner" or "owner of land" includes any person, firm or corporation who shall hold legal or equitable title to any lands lying within a watershed conservation district organized under the provisions of this act.

(7) "Due notice" means notice published at least twice, with an interval of at least one week between the two publication dates, in a publication of general circulation within the appropriate area, or, if no such publication of general circulation be available, notice posted at a reasonable number of conspicuous places within the appropriate area, such posting to include, where possible, posting at public places where it is customary to post notices concerning county or municipal affairs generally.

SECTION 2. Watershed Conservation Districts may be formed in Hampton County.—Authority is hereby granted to form watershed conservation districts within Hampton County for the purpose of developing and executing plans and programs relating to any phase of the control and prevention of soil erosion, flood prevention, or the conservation, development, utilization, and disposal of water.

SECTION 3. Area.—The area embraced in a watershed conservation district must be contiguous and must lie within a well-defined watershed; and such area shall not include lands located within the boundary of any incorporated city or town, or lands embraced in another watershed conservation district.

SECTION 4. Petition for formation.—When twenty-five or more landowners within a proposed watershed conservation district, or, if less than fifty landowners are involved, a majority of such landowners, desire to form a watershed conservation district, they shall file a petition with the supervisors of the soil conservation district asking that a watershed conservation district be organized to function in the area described in the petition. Such petition shall set forth the proposed name of the watershed conservation district; that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory described in the petition; a description of the territory proposed to be organized as a watershed conservation district, which description need not be given by metes and bounds or by legal subdivisions, but shall be deemed sufficient if generally accurate; and the approximate number of acres of land included in the proposed watershed conservation district.

SECTION 5. Hearing on petition.—(1) Within thirty days after such petition has been filed with the supervisors of the soil conservation district, they shall cause due notice to be given of a hearing upon the question of the desirability and necessity, in the interest of the public health, safety, and welfare, of the creation of such watershed conservation district. All interested parties shall have the right to attend such hearing and to be heard. If it shall appear at the hearing that other lands should be included in the petition or that lands included in the petition should be excluded, the supervisors shall permit such inclusion or exclusion, provided the land area involved still meets the requirements of Section 3 of this act.

(2) If it appears upon the hearing that it may be desirable to include within the proposed watershed conservation district territory

outside of the area within which due notice of the hearing has been given, the hearing shall be adjourned and due notice of a further hearing shall be given throughout the entire area considered for inclusion in the proposed watershed conservation district, and such further hearing shall be held. After final hearing, if the supervisors of the soil conservation district determine, upon the facts presented at the hearing and upon other available information, that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory considered at the hearing, they shall make and record such determination, and shall define the area, but the description need not be given by metes and bounds. The description shall be deemed sufficient if generally accurate and the approximate number of acres of land included in the proposed watershed conservation district is shown.

(3) If the supervisors of the soil conservation district determine after such hearing that there is no need for a watershed conservation district to function in the territory considered at the hearing, they shall make and record such determination and shall deny the petition.

SECTION 6. Referendum.—After the supervisors of the soil conservation district have made and recorded a determination that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory considered at the hearing, and have defined the boundaries thereof, they shall consider the question whether the operation of a watershed conservation district within the proposed boundaries with the powers conferred upon it by this act is administratively practicable and feasible. To assist the supervisors in making this determination, they shall, within a reasonable time after the entry of a finding that there is need for the organization of a watershed conservation district and the determination of the boundaries thereof, hold a referendum within the proposed watershed conservation district upon the proposition of the creation of the watershed conservation district. Due notice of the referendum shall be given by the supervisors. Such notice shall state the date of holding the referendum, the hours of opening and closing the polls, and shall designate one or more places within the proposed watershed conservation district as polling places and shall give notice that the directors shall have the power of eminent domain. The supervisors shall have full charge of the referendum and shall have suitable ballots printed and furnished to each polling place; appoint necessary box managers and other referendum officials, and shall canvass the refer-

endum and announce the results. The cost of holding the referendum shall be paid from the general fund of Hampton County. *Provided,* that notwithstanding any provision of law to the contrary the power of eminent domain shall not be exercised over the protest of any landowner until it is conclusively established that the land proposed to be condemned is absolutely essential to the creation and operation of the watershed conservation district.

SECTION 7. Question.—The question to be voted on shall be submitted by ballots upon which appear the words:

"For creation of ———— Watershed Conservation District"

"Against creation of ———— Watershed Conservation District"

A square shall follow each proposition. The ballot shall contain a direction to insert an "X" mark in the square following one or the other of the propositions as the voter may favor or oppose creation of the watershed conservation district. The ballot shall set forth the boundaries of the proposed watershed conservation district as determined by the supervisors of the soil conservation district. No one except owners of lands lying within the boundaries of the proposed watershed conservation district, as determined by the supervisors of the soil conservation district, shall be eligible to vote in the referendum. Qualified voters may vote by absentee ballot in the referendum under such rules and regulations as may be prescribed by the supervisors. No informalities in the conduct of the referendum or in any matters relating thereto shall invalidate the referendum or the result thereof if notice of the referendum shall have been given substantially as herein provided and the referendum shall have been fairly conducted.

SECTION 8. Results—district to be created if results and determination favorable.—The votes shall be counted by the referendum officials at the close of the polls and a report of the results along with the ballots shall be delivered and certified to the supervisors of the soil conservation district; and thereafter the supervisors shall determine whether the operation of the watershed conservation district within the defined boundaries is administratively practicable and feasible. If the supervisors determine that the operation of such district is not administratively practicable and feasible, they shall record such determination and deny the petition. If the supervisors determine that the operation of such district is administratively practicable and feasible, they shall record such determination and shall proceed with the organization of such district in the manner hereinafter set

forth; *provided,* however, that the supervisors shall not have authority to determine that the operation of such district is administratively practicable and feasible unless at least a majority of the votes cast in the referendum upon the proposition of the creation of such district shall have been cast in favor of the creation of such district. If the supervisors shall determine that the operation of such district is administratively practicable and feasible, they shall certify such determination to the Clerk of Court of Hampton County and to the Secretary of State. Upon proper recordation of such determination, such watershed conservation district shall constitute a governmental subdivision of this State and a public body corporate and politic. After being recorded, such certification shall be filed with the State Soil Conservation Committee.

SECTION 9. Board of directors to govern district—nominating petitions—election—ballots—terms—officers—bond of treasurer. —(1) The governing body of the watershed conservation district shall consist of five directors, elected as provided herein.

(2) Within thirty days after a watershed conservation district has been created, nominating petitions may be filed with the supervisors of the soil conservation district to nominate candidates for directors of the watershed conservation district. No such nominating petition shall be accepted by the supervisors unless it is signed by twenty-five or more landowners within the watershed conservation district, or, if less than fifty landowners are involved, by a majority of such landowners. If the candidates nominated do not exceed the number of directors to be chosen, the supervisors shall declare them to be elected. No person shall be eligible to be a director of a watershed conservation district who is not a landowner in the watershed conservation district in which he seeks election.

(3) If the candidates nominated for directors of the watershed conservation district exceed the number of directors to be chosen, the supervisors of the soil conservation district shall, after having given due notice thereof, cause an election to be held within the watershed conservation district within a reasonable time after the expiration of the nominating period. The provisions of Sections 5, 6 and 7 of this act as to notice, qualifications of voters, absentee voting, and the manner of holding the referendum in organizing a watershed conservation district, shall apply insofar as practicable to the election of the directors. The names of all qualified nominees shall be printed in alphabetical order upon ballots with a square before each

name and a direction to insert an "X" mark in the square before any five names to indicate the voter's preference. Only landowners within the watershed conservation district shall be eligible to vote in the election. The five candidates who shall receive the largest number respectively of the votes cast in the election shall be the directors of the watershed conservation district, and shall, upon the supervision of the supervisors of the soil conservation district, be the governing body of the watershed conservation district.

(4) Of the directors first elected, the two receiving the largest number of votes shall serve for terms of four years, the two receiving the next largest number of votes shall serve for terms of three years, and the one receiving the next largest number of votes shall serve for a term of two years. The term of office of each of their successors shall be for four years, and until their successors have been appointed or elected and qualify. Vacancies shall be filled in the manner of the original appointment for the unexpired portion of the term only.

(5) The directors shall annually designate from among their number a chairman, secretary, and treasurer. The treasurer shall execute an official bond for the faithful performance of the duties of his office, to be approved by the directors. Such bond shall be executed by a surety company authorized to do business in this State and shall be in an amount determined by the directors. The premium on each bond shall be paid by the watershed conservation district.

SECTION 10. District to be corporate body—powers and duties. —A watershed conservation district organized under the provisions of this act shall constitute a governmental subdivision of this State, and a public body corporate and politic, exercising public powers, and such district and the directors thereof shall, subject to the approval of the supervisors of the soil conservation district, have the following powers, in addition to others granted in other sections of this act:

(1) To acquire, by purchase, exchange, lease, gift, grant, bequest, devise, or otherwise, or through condemnation proceedings in the manner provided in Sections 25-101 through 25-140 and Sections 33-121 through 33-148, Code of Laws of South Carolina, 1962, such lands, easements or rights-of-way as are needed to carry out any authorized purpose of the watershed conservation district; and to sell, lease, or otherwise dispose of any of its property or interests therein in furtherance of the purposes and provisions of this act;

(2) To construct, reconstruct, repair, enlarge, improve, operate, and maintain such works of improvement as may be necessary or con-

venient for the performance of any of the operations authorized by this act;

(3) To borrow money and to execute promissory notes and other evidences of debt in connection therewith for payment of the costs and expenses of organizing the watershed conservation district or for carrying out any authorized purpose of such district, and if promissory notes are issued, to execute such mortgages on any property owned by such district, or assign or pledge such revenues or assessments of such district as may be required by the lender as security for the repayment of the loan; and to issue, negotiate, and sell its bonds as provided in Section 11 of this act;

(4) To levy an annual tax on the real property within the district subject to the limitations provided in Section 13 of this act for payment of the costs and expenses of organizing the watershed conservation district or for carrying out any authorized purpose of such district. Such levy shall be made only after approval by the supervisors of the soil conservation district and upon notifying the county auditor.

(5) Where watersheds cross county or state lines, the watershed directors are authorized to work with similar organizations in determining cost sharing to solve common problems.

SECTION 11. Bonds not to be issued unless referendum held.—(1) Bonds authorized by Section 10 of this act shall not be issued until proposed by order or resolution of the directors of the watershed conservation district, specifying the purpose for which the funds are to be used and the proposed undertaking, the amount of bonds to be issued, the rate of interest they are to bear, and the amount of any necessary tax levy in excess of the maximum authorized in Section 13 of this act. A copy of the order or resolution shall be certified to the supervisors of the soil conservation district.

(2) The supervisors shall hold a hearing on such proposal after having given due notice. If it appears that the proposal is within the scope and purpose of this act and meets all other requirements of the law, the proposal shall be submitted to the landowners of the district by a referendum held by the supervisors.

(3) The provisions of Sections 5, 6 and 7 of this act as to notice, qualifications of voters, absentee voting, and manner of holding the referendum in organizing a watershed conservation district shall apply to the referendum held under this section.

(4) If two-thirds of the votes cast in such referendum favor the proposal, the directors shall, with the approval of the supervisors, be authorized to issue such bonds.

SECTION 12. Compensation.—The directors of the watershed conservation district shall receive no compensation for their services, but they may be reimbursed for expenses, including traveling expenses, necessarily incurred in the performance of their duties as approved by the supervisors of the soil conservation district.

SECTION 13. Budget—tax levy.—Within the first quarter of each calendar year, the directors of the watershed conservation district shall prepare an itemized budget of the funds needed for administration of the watershed conservation district and for construction, operation and maintenance of works of improvement. After approval of such budget by the supervisors of the soil conservation district, the county auditor shall levy a tax sufficient to meet such budget on all real property within the watershed conservation district of not to exceed five mills on each dollar of assessed valuation, except that this limitation shall not apply to any levy necessary to provide a sinking fund for the retirement of bonds authorized by Section 11 of this act. A copy of such budget shall be certified to the Auditor of Hampton County.

SECTION 14. List of landowners and acres subject to assessment.—(1) The directors of the watershed conservation district, with the assistance of the county auditor, shall prepare a list of the landowners involved showing the number of acres subject to assessment.

(2) When the property tax rolls are delivered to the county treasurer by the county auditor, as required by law, the county treasurer shall compute the tax due the watershed conservation district from each landowner in accordance with the rate fixed by the directors and the value of the real property indicated on the tax roll. The computation shall be made on the regular tax bills.

SECTION 15. Collection of taxes.—(1) The county treasurer shall collect the taxes due the watershed conservation district at the same time and in the same manner as he collects other taxes of the county.

(2) The taxes shall be subject to the same due and delinquency dates, discounts, penalties and interests as are applied to the collection of county taxes.

SECTION 16. Expenditures.—Tax funds collected shall be transferred to and held by the treasurer of the watershed conservation district for the specific purpose for which they have been collected. All expenditures of such funds shall be made by the directors of the

watershed conservation district with the approval of the supervisors of the soil conservation district.

SECTION 17. Petition to have lands detached.—The owners of lands which have not been, are not and cannot be benefited by their inclusion in the watershed conservation district may petition the supervisors of the soil conservation district to have such lands detached. The petition shall describe such lands and state the reasons why they should be detached. A hearing shall be held by the supervisors within thirty days after the petition is filed and due notice of such hearing shall be given by the supervisors. If it is determined by the supervisors that such lands shall be detached, such determination shall be certified to the Auditor of Hampton County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee.

SECTION 18. Petition for discontinuance of district—hearing—referendum—discontinuance if election and determination favorable.—(1) At any time after five years after the organization of a watershed conservation district, twenty-five or more landowners within such district, or if less than fifty landowners are involved, a majority of such landowners, may file a petition with the supervisors of the soil conservation district asking that the existence of the watershed conservation district be discontinued. The petition shall state the reasons for discontinuance, and that all obligations of the watershed conservation district have been met. The supervisors may conduct such hearings upon the petition as may be necessary to assist them in the consideration thereof.

(2) Within sixty days after such petition has been filed with the supervisors they shall give due notice of the holding of a referendum. The supervisors shall hold such referendum substantially as provided for in Section 11 of this act. The question shall be submitted by ballots upon which the words "For terminating the existence of the ———— Watershed Conservation District" and "Against terminating the existence of the ———— Watershed Conservation District" shall be printed, with a square before each proposition and a direction to insert an "X" mark in the square before one or the other of the propositions as the voter may favor or oppose the discontinuance of such watershed conservation district. Only landowners within the watershed conservation district shall be eligible to vote in such referendum. No informality in the conduct of the referendum or in any matters relating thereto shall invalidate the

referendum or the results thereof if notice of the referendum shall have been given substantially as herein provided and the referendum shall have been fairly conducted.

(3) The supervisors shall publish the results of the referendum and shall thereafter determine whether the continued operation of the watershed conservation district is administratively practicable and feasible. If the supervisors determine that the continued operation of the watershed conservation district is administratively practicable and feasible, they shall record such determination and deny the petition. If the supervisors determine that the continued operation of the watershed conservation district is not administratively practicable and feasible, they shall record such determination and shall certify such determination to the directors of the watershed conservation district; *provided,* however, that the supervisors shall not be authorized to determine that the continued operation of the watershed conservation district is administratively practicable and feasible unless at least a majority of the votes cast in the referendum shall have been cast in favor of the continuance of the watershed conservation district.

(4) Upon receipt from the supervisors of a certification that they have determined that the continued operation of the watershed conservation district is not administratively practicable and feasible, the directors shall forthwith proceed to terminate the affairs of the watershed conservation district. A copy of the determination shall be certified to the Auditor of Hampton County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee.

SECTION 19. Supervisory authority if district discontinued.—If the Hampton County Soil Conservation District is discontinued, all supervisory authority over the affairs of the watershed conservation district which was previously exercised by the supervisors shall thereafter be exercised by the governing body of Hampton County.

SECTION 20. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of April, 1965.

(R337, H1533)

No. 641

An Act To Amend An Act Of 1965 Bearing Ratification No. 241, Relating To The Watershed Conservation Districts In Hampton County, So As To Limit The Power Of Eminent Domain Under Certain Conditions.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Item (1) of Section 10 of Act 640 of 1965 amended —powers.—Item (1) of Section 10 of an Act of 1965 bearing Ratification No. 241 is amended by adding at the end thereof the following: *"provided,* that the power of eminent domain conferred hereunder shall not extend to the property of any public utility or public service corporation that the utility could have acquired under its power of eminent domain;". The item when amended shall read as follows:

"(1) To acquire, by purchase, exchange, lease, gift, grant, bequest, devise, or otherwise, or through condemnation proceedings in the manner provided in Sections 25-101 through 25-140 and Sections 33-121 through 33-148, Code of Laws of South Carolina, 1962, such lands, easements or rights-of-way as are needed to carry out any authorized purpose of the watershed conservation district; and to sell, lease, or otherwise dispose of any of its property or interests therein in furtherance of the purposes and provisions of this act; *provided,* that the power of eminent domain conferred hereunder shall not extend to the property of any public utility or public service corporation that the utility could have acquired under its power of eminent domain;".

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of April, 1965.

(R579, H1689)

No. 642

An Act To Provide For The Levying Of Taxes For Ordinary County And Road Purposes In Hampton County For The Fiscal Year Beginning July 1, 1965, And Ending June 30, 1966, And To Provide For The Expenditure Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. A tax of sufficient number of mills to pay the appropriations in Hampton County herein made, the amount of such millage to be determined by the county auditor and the county treasurer, is hereby levied upon all the taxable property of Hampton County for county purposes for the fiscal year beginning July 1, 1965, and ending June 30, 1966, as follows:

Item 1.	Roads and Bridges:	
1-A.	Chain gang employees:	
	1. Guards (2)—one at $3,308.00 and one at $1,890.00	$ 5,198.00
	2. Tractormen (2)—one at $4,032.00 and one at $3,276.00	7,308.00
	3. Machine operators (2)—one at $2,331.00 and one at $2,331.00	4,662.00
1-B.	Chain gang, convicts and supplies	6,110.00
1-C.	Bridges and culverts	8,000.00
1-D.	Tractors and machines	3,000.00
	Repairs and supplies	12,638.00
	Total, Item 1	$ 46,916.00
	Provided, that the supervisor shall have the right to use gasoline and motor oils in his private automobile while on the county's business.	
Item 2.	County officers and clerks:	
2-A.	Attorney, salary	$ 819.00
2-B.	Auditor, salary	1,050.00
	Auditor, expense	840.00
	Tax assessment and appraisal director	4,380.00
	Assessor	3,150.00
	Clerk	2,520.00
	Mileage	1,000.00
	Supplies	200.00
2-C.	Clerk of Court, salary	2,835.00
	Deputy clerks (2)—one at $3,339.00 and one at $2,520.00	5,859.00
2-D.	Coroner, salary	756.00
2-E.	County Board of Commissioners:	
	Supervisor, salary	5,145.00

	Supervisor, expense	630.00
	Commissioners (2)	3,381.00
	Clerk	2,520.00
2-F.	Judge of Probate, expense	2,205.00
	Clerk	2,520.00
2-G.	Magistrates and Constables:	
	Magistrate, Goethe Township	2,520.00
	Constable, Goethe Township	1,890.00
	Magistrate, Lawton Township	1,890.00
	Constable, Lawton Township	1,575.00
	Magistrate, Peeples Township	3,150.00
	Constable, Peeples Township	2,520.00
	Constable, Peeples Township, expense	1,890.00
	Magistrate, Pocotaligo Township	1,890.00
	Constable, Pocotaligo Township	1,575.00
	Report clerk	120.00
2-H.	Physician, salary	819.00
2-I.	Sheriff, salary	2,520.00
	Sheriff, expense	3,150.00
	Deputy Sheriff (1), salary	2,205.00
	Expense	2,835.00
	Deputy Sheriff, (1), salary	2,205.00
	Expense	2,835.00
	Jailor, salary	525.00
	Jailor, expense	1,554.00
	Automobile maintenance	400.00
	Automobiles, trade 3 cars	4,000.00
	Contingent fund	200.00
2-J.	Tax Collector	4,410.00
	Tax Collector, expense	474.00
2-K.	Treasurer, salary	3,960.00
2-L.	Clerk for Auditor and Treasurer	4,800.00
	Total, Item 2	$ 95,722.00
Item 3.	Board of Public Services:	
3-A.	Board of Tax Equalization	$ 300.00
3-B.	Farm agent, salary	630.00
	Clerk, salary	630.00
	4-H Club work and miscellaneous supplies	650.00

3-C. County Home Demonstration Office:	
Clerk, salary	1,386.00
Associate Home Agent, salary	756.00
Clerk, Associate Home and Farm Agent	1,260.00
Demonstration material and office expenses	165.00
3-D. Court expenses (jurors, bailiffs and jury child, ten dollars each per diem; mileage each juror, bailiff, jury child and witnesses, eighteen cents per mile one way per term of court)	5,000.00
Resident Judge, 14th Judicial Circuit, office expense	500.00
3-E. Department of Public Welfare:	
Expenses	2,000.00
Relief	4,500.00
3-F. Forestry Board (meetings, members five dollars per diem each, and fourteen cents per mile one way per board meeting)	75.00
3-G. Health Centers (including Varnville, Yemassee and Estill):	
Nurses (2), salary supplement	2,280.00
Clerk, salary supplement	360.00
Insect control, 2 operators $50.00 per week, payable biweekly, not to exceed a 20-week season	2,000.00
Chest x-ray clinic, technician services	600.00
Clinics, 2 per month, $12.00 each for physicians' services as requested	288.00
Operating expenses	1,500.00
3-H.	
3-I. Jail expenses:	
Dieting prisoners	2,100.00
Medical expense for prisoners	100.00
Transportation of prisoners	200.00
Repairs and supplies	800.00
3-J. Library services:	
Contributions (expend subject to Section 16)	4,512.00
Librarian, salary	756.00
Expenses	240.00
Retirement Contribution—Library employees	683.96
3-K. National Guard units funds, donations (expend subject to Section 16)	1,500.00

3-L.	Post mortems, inquests and pauper funerals ...	800.00
3-M.	S. C. Retirement System, Federal Social Security contributions for county employees, and S. C. Police Officers' Retirement System	8,430.00
3-N.	Supervisors of Registration (3), salaries	1,261.00
3-O.	Vital Statistics, registrars of births and deaths..	100.00
3-P.	Veterans' Service Office:	
	Service Officer, salary	2,520.00
	Service Officer, expense	905.00
	Clerk, salary	2,520.00
	Office expense	350.00
	Travel expense—Veterans' affairs	200.00
	Total, Item 3	$ 52,857.96
Item 4.	Operation and upkeep, offices, buildings and grounds:	
4-A.	Publishing supervisor's report and legal notices of auditor and treasurer	125.00
	Watermelon Festival contribution (subject to Section 16)	400.00
4-B.	Auditing and bond premiums:	
	Auditing service, including annual settlement..	1,900.00
	Bond premiums, officers and employees	850.00
4-C.	Utilities and insurance (including Workmen's Compensation premiums on county employees):	
	Electric service	5,325.00
	Fuel	1,650.00
	Water service	625.00
	Insurance	1,835.00
	Workmen's Compensation premium	875.00
4-D.	Grounds beautification (expend subject to Section 16)	300.00
4-E.	Janitor service (including Armory) ..... *Provided,* courthouse janitor helper may be paid not over $10.00 weekly by treasurer on claim approved by clerk of court.	2,650.00
4-F.	Postage, stationery and office supplies ..... *Provided,* postage, post office box rent, postal fees may be paid by treasurer against claim of	4,200.00

	any county officer and held as cash item with postmaster's receipt attached.	
4-G.	Repairs and supplies:	
	General maintenance	2,000.00
	Sheriff's radio system	1,318.44
	Teletype service	720.00
4-H.	Rent, Library, Hampton, S. C.	660.00
4-I.	Telephone rentals, toll calls and telegraph service	3,000.00
	Total, Item 4	$ 28,433.44
Item 5.	Miscellaneous:	
5-A.	Tax refunds, street taxes to towns and S. C. Sales Tax, also including tax exemption granted new industry	$ 2,000.00
5-B.		
5-C.	Civil defense	1,250.00
5-D.	Development Board (expend subject to delegation approval)—balance prior year's appropriation carried forward	9,199.69
5-E.	Western Carolina Higher Education Commission	6,000.00
	Total, Item 5	$ 18,449.69
	GRAND TOTAL	$242,379.09
Less:	Estimated Revenues other than property taxes:	
	Alcoholic Liquor Tax	$ 18,000.00
	Bank Tax	2,000.00
	Beer and Wine Tax	4,400.00
	Fines	15,600.00
	Gasoline Tax	82,000.00
	Income Tax	26,000.00
	Insurance License Fees	11,000.00
	Rents	2,200.00
	Tax execution collections	3,600.00
	Tax execution fees	2,500.00
	Veterans' Service Office	4,173.00
	Total, Estimated Revenues other than current property taxes	$171,473.00

Development Board prior year's balance	9,199.69
Total, Estimated Revenues	$180,672.69
Amount to be raised by county tax levy, including commutation road tax	$ 61,706.40

Provided, that the County Attorney of Hampton County is hereby required to give each county officer of the county advice when requested for same; *provided,* further, that the Farm Demonstration Agent shall be appointed by the proper authorities by and with the consent of the Legislative Delegation from Hampton County, and shall be subject to removal on request of the legislative delegation.

Provided, further, that all revenues provided for by law shall be collected and placed in ordinary county funds to supplement and provide sufficient funds for all ordinary county purposes.

Provided, that hereafter the janitors of the courthouse and the county office buildings shall work and perform their duties under the control and direction of the clerk of court and farm demonstration agent, respectively. All claims shall have the approval before payment by at least two members of the county board and such approval by any two members shall be sufficient to constitute the board's approval.

Provided, further, that nothing herein or otherwise shall be construed as limiting the total compensation, including expense allowance of any county officer from fees, county or State appropriation, except that all tax execution fees collected shall be remitted to the county treasury for general county purposes.

SECTION 2. No road tax shall be levied except a commutation road tax of three dollars to be assessed and collected from each male citizen between the ages of twenty-one and fifty-five years, inclusive. No one shall be exempt from payment of the commutation tax, except persons totally disabled. All commutation taxes shall be ex-

pended on roads and bridges and all of the commutation tax collected from citizens of incorporated towns by the county treasurer shall be returned to the respective towns, except that no refunds of any commutation (street) tax shall be paid to any town for any person whose name does not appear on list filed as herein provided. *Provided,* that the town authorities of Brunson, Hampton, Varnville, Yemassee, Estill, Luray, Scotia and Furman be empowered to collect the commutation tax from residents within their respective corporate limits. *Provided,* further, that clerks of the respective towns, on or before March first of 1966 and each succeeding year, furnish a list duly sworn to, to the county auditor, and copies to the county treasurer and county board of commissioners, of all persons in their respective towns who are liable to such commutation tax.

SECTION 3. The auditor and treasurer of Hampton County shall be and they are hereby constituted a Sinking Fund Commission of Hampton County, whose duty it shall be to handle all funds collected for the purpose of creating a sinking fund for the retirement of all bonds of the county.

No public funds of Hampton County shall be deposited in any bank or depository unless the bank or depository shall tender to the treasurer of Hampton County a security equal in value to the funds deposited. The security shall consist of either a surety bond executed by a licensed surety company, United States Government Bonds, bonds of the State of South Carolina, Federal Land Bank Bonds, or bonds of any political subdivision of the State of South Carolina, after Federal Deposit Insurance Corporation guarantees have been considered, or such other security or securities as shall be approved in writing from time to time by a majority of the legislative delegation.

On the maturity or payment of any bonded indebtedness of any school district in Hampton County by the county treasurer, the same may be paid by the county treasurer without securing a voucher therefor from the school district trustees, provided the county superintendent of education authorizes such payment in writing.

On any bonded indebtedness, other than for school purposes, and in addition to existing statutory provisions for the payment of maturing bond and interest coupons, the county board of commissioners may in their discretion designate any such revenues or portions thereof to be deposited by the county treasurer monthly over such period as needed to adequately provide for such bonded indebtedness,

before crediting such revenues or portions thereof to general county funds, subject to approval by a majority of the legislative delegation; *provided,* that any prior action by the county board of commissioners and the county treasurer is hereby validated.

SECTION 4. The clerk of the county board of commissioners may, at his discretion, and in lieu of requiring submission of salary and expense claims monthly, prepare a monthly payroll in duplicate listing each county employee with appropriations act item number, monthly salary and expenses, less required and authorized pay deductions and issue county board of commissioners' "County Check" (warrant) in the usual manner for balance due to each county employee at the close of the last day of each month. The county check (warrant) number, date and amount shall be entered on the appropriate line on the payroll. The county check (warrant) shall be drawn against the county treasurer, payable from the "County Fund" account in the usual manner. Each monthly payroll shall be approved by the county board of commissioners and duplicate filed with the county treasurer. The county board of commissioners or its clerk may withhold, or delay issuing, a county check (warrant) to any employee when believed necessary to protect the county's interest, including settlement of tax executions held by the tax collector when notified in writing and a copy is mailed to employee concerned.

SECTION 5. The county supervisor and the county commissioners are hereby prohibited to issue any pay check (warrant) to any magistrate of Hampton County until the magistrate has filed report and remitted all funds, including fines and costs due Hampton County to the county treasurer for the previous month; *provided,* all funds due the South Carolina Wildlife Resources Department have been remitted and the department has not notified the county board of commissioners in writing otherwise.

SECTION 6. The county supervisor, upon the request of any county commissioner, is hereby authorized to furnish from the chain gang a truck and sufficient number of convicts to do such work on roads and bridges in the county as such commissioners deem necessary.

SECTION 7. All lumber purchased shall be with the approval of two county commissioners and the county supervisor.

SECTION 8. All notices by the county supervisor, county treasurer, county superintendent of education, county auditor and other

county officers, provided by statute to be given, may be published in any newspaper published or having circulation in Hampton County; and one hundred twenty-five dollars set out in Item 4 is for the payment in full of such notices as are published in any paper during the year. *Provided,* however, that the word "notices" above used shall not be deemed to include notices and advertisements of tax sales, and the sum of one hundred twenty-five dollars is not in payment of the costs of advertising tax sales.

SECTION 9. The county supervisor, treasurer, auditor and clerk of court shall compose a board to purchase all books and stationery for the county.

SECTION 10. No property owned by Hampton County shall be sold, rented or leased unless the approval of the legislative delegation is first secured.

SECTION 11. The courthouse and grounds shall be under the custody and control of the clerk of court for Hampton County, except that the county office building shall be under the custody of the farm demonstration agent for Hampton County.

SECTION 12. Wherever in the conduct of the affairs of the county it becomes necessary for the county treasurer to expend money for any matters and things not foreseen at this time, and when the legislative delegation shall approve the expenditure in writing and the approval has been signed by both members thereof, then such expenditures made under such authority are hereby validated.

SECTION 13. From and after the effective date of this act the Sheriff of Hampton County shall not be required to personally serve grand jurors or petit jurors requiring their attendance upon either the Court of General Sessions or the Court of Common Pleas, but such service shall be made by mailing a summons to the last known address of such prospective jurors and no charge shall be made or collected for such service. *Provided,* that the presiding judge may otherwise order service made personally by the sheriff and in such event the sheriff shall be paid for same the amounts now allowed for same. Likewise, hereafter the Sheriff of Hampton County shall not be required to serve or summons witnesses in criminal cases except by subpoena duly issued on motion of solicitor or as ordered so to do by the presiding judge. Such witnesses may be served by mailing a summons to the last known address of such witnesses for

which no charge shall be made or collectible; and it shall be the duty of all magistrates in Hampton County to place under bond all witnesses for the State, blanks for same to be furnished by the clerk of court to the various magistrates.

SECTION 14. All persons actually in the Armed Forces of the United States on active duty shall during service be exempted from payment of personal property taxes on one vehicle, including one in wife's name if none in husband's name in tax book, and from payment of road, poll and dog taxes levied for 1965 and for any prior year when the above conditions have been met. The county auditor, treasurer and tax collector are authorized to abate or mark "Nulla Bona" such taxes as may be levied; and the county auditor may approve county claim for refund when such taxes have been paid; and in all the foregoing cases be subject to presentation of satisfactory evidence of service in the Armed Forces, provided no dog tax shall be levied for 1965 against any person.

SECTION 15. In the event the clerk of court should have in his official capacity any funds which have been unclaimed for as long as five years, he is hereby authorized to pay same over to the county treasurer, taking his receipt for the same. The county treasurer shall deposit any amount so received in the general county fund.

SECTION 16. Such funds as are herein appropriated as county contribution, donation or other support of any county agency or civic organization shall be made available on county check (warrant) issued by the county board of commissioners drawn on the county treasurer on letter request by such agency or organization for actual amount of funds determined to be needed and how arrived at, supported by its current year's (fiscal or calendar) financial operations statement to date of the letter request, with advice that a copy of the previous year's audit has been filed for record with the office of the clerk of court for Hampton County. Only after the county board of commissioners has made favorable recommendations, not in excess of appropriation item and the later written approval of the county legislative delegation, will such county check (warrant) be issued for approved amount; however, the approved amount may be disbursed in one or more county checks (warrants) in the discretion of the county board of commissioners with regard to funds available in the county treasurer's office for the county fund general purposes.

SECTION 17. All county officers for Hampton County may close their respective offices at twelve o'clock noon on each Thursday and Saturday throughout the year and keep same closed for the remainder of the day and all day of the Watermelon Festival; except, that any officer may keep his office open for the necessary performance of his duties.

SECTION 18. Any new manufacturing enterprise claiming exemption from county taxes (other than taxes for school purposes) for a period of five years from its establishment under the provisions of Section 8 of Article VIII of the State Constitution shall make letter request to the county auditor who will determine if the new manufacturing enterprise has made investment of not less than fifty thousand dollars or additions to existing manufacturing enterprise of not less than fifty thousand dollars, as is evidenced by Hampton County property return or certified documents filed with the South Carolina Tax Commission of the enterprise. Upon a favorable finding by the county auditor, the request shall be submitted to the county legislative delegation for approval. The county treasurer shall establish and maintain complete files on each tax-exempt enterprise. The county treasurer is authorized, in lieu of exempt amount of taxes, to execute county claim in his favor as county treasurer for the amount and to handle same as a "Cash Item" in his county fund account for reimbursement on "Next First Monday" by the county board of commissioners at the same time payment of balance due taxes is made by any such enterprise. *Provided,* any new manufacturing enterprise may submit evidence under oath by its owner, partner or officer if a corporation, if its Hampton County property tax return or certified documents filed with the South Carolina Tax Commission does not reflect as much as fifty thousand dollars' investment, to the county auditor for reference to the county legislative delegation. *Provided,* further, that after approval for exemption from county taxes (other than taxes for school purposes) and in any subsequent year when the records and/or documents aforementioned do not reflect as much as fifty thousand dollars' investment being maintained, then such prior approval shall be considered revoked and no longer in force and effect.

SECTION 19. Any person traveling on business for Hampton County shall receive nine cents per mile as travel expense.

SECTION 20. This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R158, S161)

No. 643

An Act To Authorize The Mayor And Town Council Of The Town Of Ocean Drive Beach To Borrow Fifteen Thousand Dollars For The Construction And Equipping Of A Town Hall.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Town of Ocean Drive Beach may borrow money.—The Mayor and Town Council of Ocean Drive Beach in Horry County are authorized to borrow fifteen thousand dollars for the purpose of constructing and equipping a town hall. The indebtedness shall be evidenced by a note executed by the mayor and town clerk and treasurer. The indebtedness shall be repayable in five equal annual installments, together with interest thereon, at the rate of not more than four per cent per annum.

SECTION 2. Payment.—The full faith, credit and taxing power of the town are hereby irrevocably pledged for the payment of the note and interest thereon, and there shall be levied and collected annually a tax in an amount sufficient to pay each installment with interest.

SECTION 3. Payment further.—Should the monies be borrowed from the Division of General Services and should there be default in any payment, the State Treasurer is directed to withhold any funds accruing to the town and to deposit such amount to the credit of the Division of General Services of the Budget and Control Board.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of March, 1965.

(R226, H1413)

No. 644

An Act To Authorize The Horry County Board Of Commissioners To Issue Not Exceeding Four Hundred Thousand Dollars Of General Obligation Bonds Or Notes Of Horry County To Provide Funds For The Construction Of A Technical Education Center; To Prescribe The Terms And Conditions Under Which The Bonds May Be Issued; To Make Provisions For The Payment Thereof; And To Repeal Act No. 1265 Of 1964, Relating To The

Issuance Of General Obligation Bonds Of Horry County For Construction Of A Technical Education Center.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that the Horry Technical Education Commission was created by Act No. 993 of 1964 and that among its duties are the creation, maintenance and operation of a technical education center. The General Assembly further finds that the previous estimate of the cost of construction of the center would be approximately two hundred fifty thousand dollars. The General Assembly now finds that such cost will be approximately four hundred thousand dollars. It has, therefore, determined to authorize the County Board of Commissioners of Horry County to raise such sum through the sale of general obligation bonds or notes of the county.

SECTION 2. Bond issue authorized.—In order to provide funds to the extent of four hundred thousand dollars, which shall be expended for the construction of a technical education center to be located in Horry County, the Board of Commissioners of Horry County is hereby authorized to issue not exceeding four hundred thousand dollars of general obligation bonds or notes of the county.

SECTION 3. Issues.—Obligations authorized by this act may be issued as a single issue, or from time to time as several separate issues.

SECTION 4. Denominations and maturity.—Such obligations shall be in such denominations and shall mature in such annual series or installments as the board shall provide for, except that the last maturing obligations thereof shall mature not later than twenty years from the date as of which the obligations shall be issued.

SECTION 5. Redemption.—Obligations issued pursuant to this act may be issued with a provision for their redemption prior to their stated maturities at par and accrued interest, plus such redemption premium as may be prescribed by the board, but no bond or note shall be redeemable before maturity unless it contains a statement to that effect. If bonds or notes are made subject to redemption, provision shall be made in the proceedings authorizing the issuance thereof, specifying the manner of call and the notice thereof that must be given.

SECTION 6. Form.—The bonds shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Horry County, upon such conditions as the board may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

SECTION 7. Where payable.—The obligations issued pursuant to this act shall be made payable at such place or places, within or without the State, as the board shall provide.

SECTION 8. Interest.—Obligations issued pursuant to this act shall bear interest at rates determined by the board.

SECTION 9. Execution.—The bonds or notes, and the coupons to be thereunto attached, if any, shall be executed in such manner as the board shall by resolution provide.

SECTION 10. Sale.—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. The published notice shall appear not less than ten days prior to the occasion set for opening bids. *Provided,* that if notes are issued no public advertisement shall be required.

SECTION 11. Payment.—For the payment of the principal and interest of all obligations issued pursuant to this act, as they respectively mature, and for the creation of such sinking funds as may be necessary therefor, the full faith, credit and taxing power of Horry County shall be irrevocably pledged, and there shall be levied annually by the county auditor and collected by the county treasurer, in the same manner as other county taxes are levied and collected, a tax without limit on all taxable property in the county sufficient to pay the principal and interest of such obligations as they respectively mature, and to create such sinking fund as may be necessary therefor.

SECTION 12. Exempt from taxes.—The principal and interest of any bonds or notes issued pursuant to this act shall have the tax exempt status prescribed by Section 65-4.1 of the Code of Laws of South Carolina, 1962.

SECTION 13. Proceeds.—The proceeds derived from the sale of any obligations issued pursuant to this act shall be paid to the county treasurer and shall be disposed of as follows:

(a) Any accrued interest shall be applied to the payment of the first installment of interest to become due thereon.

(b) The premium, if any, shall be applied to the payment of the first installment of principal.

(c) The balance remaining shall be expended, on the warrant of the board, for all costs and expenses incurred in connection with the issuance and sale of such obligations.

SECTION 14. Act 1265 of 1964 repealed.—Act No. 1265 of 1964 is repealed.

SECTION 15. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of March, 1965.

(R239, H1405)

No. 645

An Act To Authorize The Town Of Crescent Beach In Horry County To Borrow Money For The Construction And Equipping Of A Town Hall And Library.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Town of Crescent Beach may borrow money.—The Mayor and Town Council of Crescent Beach in Horry County are authorized to borrow not exceeding thirty thousand dollars for the purpose of constructing and equipping a town hall and library. The indebtedness shall be evidenced by a note executed by the mayor and town clerk and treasurer. The indebtedness shall be repayable in five equal annual installments, together with interest thereon.

SECTION 2. Payment.—The full faith, credit and taxing power of the town are hereby irrevocably pledged for the payment of the note and interest thereon, and there shall be levied and collected annually a tax in an amount sufficient to pay each installment with interest.

SECTION 3. Payment further.—Should the monies be borrowed from the Division of General Services and should there be default in any payment, the State Treasurer is directed to withhold any funds

accruing to the town and to deposit such amount to the credit of the Division of General Services of the Budget and Control Board.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of April, 1965.

(R317, H1561) **No. 646**

An Act To Authorize The Town Of Ocean Drive Beach In Horry County To Borrow Not Exceeding Thirty Thousand Dollars And To Provide For The Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Town of Ocean Drive Beach may borrow money.—The town of Ocean Drive Beach in Horry County is hereby authorized to borrow from any bank or lending institution not exceeding thirty thousand dollars under such terms and conditions as may be agreed upon by both parties. As security for the loan the following property may be pledged:

> All that certain piece, parcel or tract of land in Little River Township, Horry County, South Carolina, near Ocean Drive Beach being known as the Peter Bellamy and Jimmy Bellamy Estate Lands located on the South side of the Intra-coastal Waterway.
>
> This is the same property conveyed to Alex Ward, and others, by Ralph Hoffman, Master for Horry County. A plat of this property is recorded in the office of the Clerk of Court for Horry County.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of April, 1965.

(R463, H1549)

No. 647

An Act To Make Supplemental Appropriations For The Fiscal Year 1964-1965 From The General Fund Of Horry County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The following supplemental appropriations are made from the General Fund of Horry County for the fiscal year 1964-1965:

Chain gang	$ 15,000.00
Roads	15,000.00
Roads, salaries	6,000.00
For operation and maintenance of county-owned Law Enforcement equipment	6,000.00
Horry County's share of salary for the secretary to the Judge of the 15th Judicial Circuit	1,500.00
Scholarship Fund, Horry County	1,500.00
Total	$ 45,000.00

SECTION 2. This act shall take effect upon approval by the Governor.

Approved the 27th day of May, 1965.

(R550, H1712)

No. 648

An Act To Authorize The Horry County Board Of Commissioners To Make Repairs To The Building Housing The County Jail And Health Department at Nixon's Cross Roads And To Make An Appropriation.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Horry County may repair certain buildings.—The Horry County Board of Commissioners is authorized to make repairs and additions to the building housing the county jail and health department at Nixon's Cross Roads not to exceed the appropriation provided for herein.

SECTION 2. Appropriation.—There is hereby appropriated seven thousand five hundred dollars, or so much thereof as may be neces-

sary, to be paid from the general fund of the county for the purposes provided for in Section 1.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R580, H1697) **No. 649**

A Joint Resolution Creating A Committee To Study The Feasibility Of Erecting Dikes Along The Waccamaw River In Horry County And To Make An Appropriation Therefor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Committee created in Horry County to study erecting of dikes.—There is hereby created a committee composed of five residents of Horry County to be appointed by the county legislative delegation, including the Senator, to study the feasibility of erecting dikes along the Waccamaw River in Horry County. The committee shall meet as soon as practicable after its appointment and select one of its members as chairman. The committee shall report its findings and recommendations to the county legislative delegation as soon as possible, but not later than January 2, 1966. The members of the committee shall be allowed the usual per diem, mileage and subsistence as provided by law for members of boards, commissions and committees.

SECTION 2. Appropriation.—There is hereby appropriated from the general fund of Horry County the sum of five hundred dollars or so much thereof as is necessary to defray the expenses of the committee.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R594, H1804)

No. 650

An Act To Provide For An Appropriation For The Horry County Commission For Technical Education.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. There is hereby appropriated from the general fund of Horry County the sum of ten thousand dollars to be used by the Horry Commission for Technical Education for the payment of architectural fees and miscellaneous expenses.

SECTION 2. This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R669, H1526)

No. 651

An Act To Provide For The Taxing Of Certain Property Annexed By The Town Of Surfside Beach In Horry County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Town of Surfside Beach—taxing of annexed property.—The property which was annexed by the Town of Surfside Beach in Horry County pursuant to an election held on March 9, 1965, shall be subject to municipal taxes for the year 1965.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R670, H1527)

No. 652

An Act To Authorize The Town Of Surfside Beach In Horry County To Borrow Fifteen Thousand Dollars For The Construction And Equipping Of A Town Hall.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Town of Surfside Beach may borrow money.—The Town of Surfside Beach in Horry County is authorized to borrow

fifteen thousand dollars for the purpose of constructing and equipping a town hall. The indebtedness shall be evidenced by a note executed by the mayor and town clerk and treasurer. The indebtedness shall be repayable in five equal annual installments, together with interest thereon, at the rate of not more than four per cent per annum.

SECTION 2. Payment.—The full faith, credit and taxing power of the town are hereby irrevocably pledged for the payment of the note and interest thereon, and there shall be levied and collected annually a tax in an amount sufficient to pay each installment with interest.

SECTION 3. Payment further.—Should the monies be borrowed from the Division of General Services and should there be default in any payment, the State Treasurer is directed to withhold any funds accruing to the town and to deposit such amount to the credit of the Division of General Services of the Budget and Control Board.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R676, H1843)

No. 653

An Act To Amend An Act Of 1965, Bearing Ratification No. 226, Relating To The Issuance Of Bonds Or Notes By The Horry County Board Of Commissioners For Construction Of A Technical Education Center, So As To Increase The Amount Of Bonds Or Notes.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 1 of Act 644 of 1965 amended—findings of General Assembly.—Section 1 of an act of 1965 bearing Ratification No. 226 is amended by striking "four hundred" on lines seven and eight and inserting "five hundred fifty" so that, when so amended, the section shall read:

"Section 1. The General Assembly finds that the Horry Technical Education Commission was created by Act No. 993 of 1964 and that among its duties are the creation, maintenance and operation of a technical education center. The General Assembly further finds that the previous estimate of the cost of construction of the center

would be approximately two hundred fifty thousand dollars. The General Assembly now finds that such cost will be approximately five hundred fifty thousand dollars. It has, therefore, determined to authorize the County Board of Commissioners of Horry County to raise such sum through the sale of general obligation bonds or notes of the county."

SECTION 2. Section 2 of Act 644 of 1965 amended—bond issue authorized.—Section 2 of an act of 1965 bearing Ratification No. 226 is amended by striking "four hundred" on lines one and two and on line five and inserting "five hundred fifty" so that, when so amended, the section shall read:

"Section 2. In order to provide funds to the extent of five hundred fifty thousand dollars, which shall be expended for the construction of a technical education center to be located in Horry County, the Board of Commissioners of Horry County is hereby authorized to issue not exceeding five hundred fifty thousand dollars of general obligation bonds or notes of the county."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R715, H1739)

No. 654

An Act To Provide For The Operation Of The Government Of Horry County And For The Levy Of Taxes For The Fiscal Year Beginning July 1, 1965, And Ending June 30, 1966.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. There is hereby levied upon all of the taxable property in Horry County a sufficient number of mills, not to exceed twelve mills, to be determined by the auditor from assessment of the property therein, which together with fines, forfeitures, gasoline tax, fees collected by various officers, and all income of the county, shall raise the amount herein appropriated. For county purposes for the fiscal year 1965-1966 there is appropriated the following:

Item 1. Clerk of Court's office—Expenses:

Clerk of Court ..... $ 6,781.00

	Deputy Clerk of Court	5,234.46
	First Assistant—Steno-Clerk and Bookkeeper	3,568.95
	Four Assistant Steno-Clerks @ $3,049.83	12,199.32
	Provided, the clerk shall, when at all possible, place the address of the grantee or at least one of the grantees, if more than one, on all deeds prior to filing in his office.	
	Wages account for bailiffs, court crier and jury boy	5,000.00
	Provided, that bailiffs and court criers shall be be paid at the rate of not less than seven dollars per day.	
	Jurors and Witness fees	27,000.00
	Provided, that jurors in Magistrates' Courts shall be paid $2.00 per day or a fraction thereof.	
	Contingent Court Fund	3,000.00
	Total, Item 1	$ 62,783.73
Item 2.	Treasurer's Office—Administrative Expense:	
	Treasurer—County Supplement	$ 3,114.72
	Deputy Treasurer	5,234.46
	First Assistant Steno-Clerk	3,568.95
	Two Assistant Steno-Clerks @ $3,049.83	6,099.66
	Total, Item 2	$ 18,017.79
Item 3.	Auditor's Office—Administrative Expense:	
	Auditor—County Supplement	$ 3,114.72
	Deputy Auditor	5,234.46
	First Assistant Steno-Clerk	3,568.95
	Five Assistant Steno-Clerks @ $3,049.83	15,249.15
	Equalization Board	2,000.00
	Travel for Executive Secretary for County Board of Assessors @ 7 cents per mile not to exceed	1,000.00
	Total, Item 3	$ 30,167.28
Item 4.	For Policing Horry County:	
	Sheriff	$ 6,781.00
	Chief Deputy	5,100.00

Two Deputy Sheriffs @ $5,000.00 each	10,000.00
Secretary to Sheriff's Office and Coroner	3,568.95
County Police Commissioners, six @ $440.00	2,640.00
Chief of County Police	6,052.94
Sergeant, County Police	5,100.00
County Police, eight @ $5,000.00	40,000.00
Secretary to County Police Commission	3,283.43
County Police for Little River	825.00
County Police for Atlantic Beach	1,200.00
Colored policemen assigned to the county police (part time)	1,250.00
County Jailers at Nixons Cross Roads, one @ $2,371.15, who shall act as Chief Jailor, and one @ $2,271.15; *provided,* that the jailors shall be under the jurisdiction of the County Police Commission	4,642.30
Three assistant jailors and night radio operators @ $3,114.72	9,344.16
Constable assigned to the office Magisterial District No. 1	2,310.00
Travel for Constable assigned to Magistrate of District No. 1	600.00
Jailor for Horry County	3,212.50
Provided, that initial uniforms shall be furnished by the county, and thereafter $75.00 per year per officer for maintenance and replacements. *Provided,* further, that upon termination of employment all uniforms and accessories shall be turned in to the county.	
Jail Matron	1,514.10
For operation and maintenance of county-owned law enforcement equipment	31,000.00
Horry County Jail at Conway	18,000.00
Provided, that all municipal corporations of Horry County shall be charged the sum of $1.50 per day for the dieting of prisoners in any County Jail.	
Conveying prisoners (for out-of-county meals only)	500.00

	For purchasing law enforcement vehicles and equipment	18,500.00
	Total, Item 4	$175,374.38
Item 5.	Probate Judge's Office—Administrative Expense:	
	Probate Judge	$ 5,699.50
	Deputy Probate Judge	3,568.95
	Steno-Clerk	3,049.83
	Total, Item 5	$ 12,318.28
Item 6.	Coroner, Probation and Tax Collector's Offices —Administrative Expenses:	
	Coroner	$ 1,622.25
	Travel for Coroner	1,500.00
	Assistant Steno-Clerk to Tax Collector	3,049.83
	Part-time Secretary for Probation Office	757.05
	Travel for Probation Officer	600.00
	Inquest and Lunacy	1,200.00
	Total, Item 6	$ 8,729.13
Item 7.	County Court Judge's Office—Administrative Expenses:	
	County Judge	$ 12,600.00
	Court Stenographer for County Court	4,639.64
	Juvenile Officer	6,000.00
	Travel for Probation Officer	1,800.00

Such officer to be employed by a majority of the Delegation, including the Senator, and the Solicitor of the 15th Judicial Circuit, and such Juvenile Officer shall possess a college degree in child counseling and guidance.

The officer's duties shall be to attend all sessions of Court wherein a minor's welfare is affected. He shall counsel and supervise each such child with the aid of the several courts and shall apply to any court for an order wherein such is necessary for the protection of the child's welfare. He shall visit in the home of each child under his supervision and shall make a monthly report of

his activities to the Solicitor of the Circuit and to each member of the County Legislative Delegation.

Total, Item 7 ..... $ 25,039.64

Item 8. Magistrate's Office—Administrative Expense:

Magistrate at Aynor—Salary	$ 2,595.60
Magistrate at Bayboro—Salary	2,595.60
Magistrate at Myrtle Beach—Salary	2,595.60
Magistrate at Green Sea—Salary	2,595.60
Magistrate at Nixons Cross Roads—Salary ...	2,595.60
Magistrate at Loris—Salary	2,595.60
Magistrate at Floyds—Salary	2,595.60
Magistrate at Conway—Salary	3,244.50
Magistrate's Secretary at Conway	3,049.83
Wages account for Steno-Clerk for Magistrate's Courts other than Magisterial District 1	800.00

Provided, Magistrate's Secretary must be able and it shall be her duty to take down in shorthand and transcribe the testimony in all cases appearing in the Magistrate's Court where such testimony is requested by either side of any litigated case. *Provided,* further, that the funds last provided for above shall be disbursed only upon approval by the county board of commissioners upon certification by the magistrate concerned that the recipient has performed stenographic services concerning trials only tried before the magistrate. *Provided,* further, that a list of available secretaries shall be submitted to the county purchasing agent of those qualified to take and transcribe shorthand and with a knowledge of typing, from each of the magistrates prior to disbursement of any of the above fund. *Provided,* further, that a request shall be made from the magistrate to the county purchasing agent prior to trial, so that an adequate record may be made by the purchasing agent of the names of the respective parties to the trial or hearing. *Provided,* further, that no more

than $15.00 may be paid for any one trial or hearing. *Provided,* further, that during the General Sessions Court all county police officers shall be available to the court and available to aid and assist the Sheriff in calling witnesses and all other work necessary for the orderly procedure of the court. *Provided,* further, that all county police officers shall serve all subpoenaes and civil papers sent to their area by the Sheriff or attorneys or any other officer of the court. Each county police officer shall make his return, when called for, on any civil or criminal service. *Provided,* further, no Magistrate in Horry County shall receive compensation for his services until his monthly report is accompanied by a probated statement to the effect that regular office hours have been established. Each magistrate shall establish regular office hours from 9 a.m. until 1 p.m. six days per week and as much longer as necessary to transact the business of the office. The hours shall be posted in a conspicuous place at all times. Magistrates in the incorporated areas of the county shall maintain office hours the same as now maintained or as long as necessary to transact the business of the office, not including Sundays or legal holidays. *Provided,* further, that any recommendations made by the certified public accountant as set forth by his annual audit, and approved by the county board of commissioners, shall have the full force and effect of law and no department head in Horry County shall receive his salary until such recommendations as approved by the county board of commissioners have been adopted and put in full force and effect by such department head.

Total, Item 8 ..... $ 25,263.53

Item 9. (A) County Board of Commissioners—Administrative Expenses:

Chairman of County Board—Salary	$ 6,781.00
Commissioners—travel expenses six @ $440.00 each	2,640.00
Clerk of County Board and Purchasing Agent	5,407.50
Travel for Purchasing Agent	1,000.00
Secretary to County Board and Delegation ... *Provided,* that the secretary shall be employed by the Board of Commissioners; and a majority of the Delegation, including the Senator.	3,283.43
Courthouse Custodian—employed by County Board	3,244.50
Travel for Custodian	656.50
One-half salary for secretary to Judge Morrison, 1965-66, $1,500.00	1,500.00
Horry County Development Board ... *Provided,* that out of the above sum appropriated the salaries of personnel shall be approved by a majority of the Horry County Development Board and a majority of the legislative delegation, including the Senator.	20,000.00
Purchasing Agent's Account—For Purchasing Agent's budget for purchasing supplies and equipment for county offices	40,000.00
Charities and donations to be distributed by County Board in case of emergencies	1,500.00
Audit of County offices	2,500.00
County Attorney	1,200.00
(B) Miscellaneous expense—disbursed as herein provided:	
Public Buildings—operation and maintenance	25,000.00
Rent Account	3,540.00
Insurance on Public Buildings	6,000.00
Social Security and Retirement	34,500.00
Police Retirement	5,500.00
Contingent Account	20,000.00
Officials' Bonds	2,000.00
Workmen's Compensation	3,500.00
County Employees Group Insurance Fund ...	4,000.00

	Supplement, Game Wardens, five @ $45.00 per month	2,700.00
	Clerk—Horry County Registration Board	360.00
	County Service Officer—Office Help	1,514.10
	Service Officer—Travel	1,500.00
	National Guard—Conway	1,600.00
	National Guard—Myrtle Beach	1,600.00
	Provided, that funds for the National Guard shall be disbursed only after approval of vouchers by the Board of Commissioners.	
	Total, Item 9	$203,027.03
Item 10.	Other Administrative Expense:	
	County Farm Demonstration Agent's Office:	
	County Agent—Supplement	$ 466.00
	First Assistant County Agent	466.00
	Two Assistant County Agents	700.00
	Boys' 4-H Club Work (White)	250.00
	Girls' 4-H Club Work (White)	250.00
	Girls' J.H.A. Work (Ocean Drive)	800.00
	Women's Home Demonstration Agent's Office:	
	Material	75.00
	Office Supplies	75.00
	Negro Home Demonstration Agent	2,100.00
	Material (Home Demonstration)	50.00
	Negro Home Demonstration Agent's office help	2,100.00
	Boys' 4-H Club Work (Negro)	100.00
	Girls' 4-H Club Work (Negro)	100.00
	Provided, that no new personnel attached to the County Farm Demonstration Agent's Office shall receive the supplement hereinabove provided until they have first worked with such office for a period of at least two years.	
	Total, Item 10	$ 7,532.00
Item 11.	Appropriations for Miscellaneous Boards and Commissions:	
	Horry County Marketing Commission	$ 10,000.00
	Provided, that out of the above sum appropriated, the Manager of the Horry County	

	Farmers' Market shall receive such sum for salary as authorized by a majority of the legislative delegation, including the Senator.	
	Coastal Carolina Center, University of South Carolina (Scholarship Fund)	5,000.00
	Civil Defense	1,200.00
	Provided, the funds are to be disbursed only by approval of a majority of the legislative delegation, including the Senator.	
	Total, Item 11	$ 16,200.00
Item 12.	(A) Health Department Expenditures:	
	County Health Unit:	
	Administrative Expenses	$ 23,660.00
	Provided, that the county health doctor's salary shall remain at $10,067.00 annually.	
	For Indigent and needy Cancer and Crippled Children patients	1,000.00
	T.B. Association	1,000.00
	(B) Welfare Department:	
	Hospitalization, Foster Boarding Home Children	500.00
	Welfare Department Administrative	12,630.00
	Telephone service	850.00
	Provided, that this money shall be disbursed only on approval by the governing board of the Horry County Department of Public Welfare.	
	Vital Statistics	1,200.00
	Total, Item 12	$ 40,840.00
Item 13.	County Roads and Chain Gang:	
	Salaries (guards, truck drivers, machine operators, etc.)	$112,270.00
	Provided, that each employee shall receive his pay during inclement weather, the same as any other time and shall receive a three per cent pay increase over that received in the fiscal year 1964-1965, but the Chairman of the County Board of Commissioners may, in his discretion, subscribe Saturday as a work day.	
	Chain Gang (feeding prisoners, clothing and supplies, etc.)	35,000.00

	County Roads	100,000.00
	Purchasing new machinery and repairs	40,000.00
	For purchase of bridge material	10,000.00
	Total, Item 13	$297,270.00
Item 14:	Horry County Memorial Library	$ 12,796.23
	Provided, that the annual budget shall be approved by a majority of the legislative delegation, including the Senator.	
	Total, Item 14	$ 12,796.23
	GRAND TOTAL	$935,359.02
	ESTIMATED REVENUES AND AVAILABLE CREDITS:	
	Income Tax	$ 99,322.00
	Bank Tax	6,700.00
	Beer & Wine Tax	16,137.00
	Liquor Tax	61,146.00
	Gasoline Tax	214,914.00
	Boating Fund	161.00
	Insurance License Fees	48,892.00
	Fees:	
	Civil Papers	5,883.00
	Treasurer and Tax Collector	9,930.00
	Probate Judge	14,608.00
	Health Department	2,480.00
	Clerk of Court	42,882.00
	Fines:	
	Magistrates	91,553.00
	Clerk of Court	16,572.00
	Miscellaneous Revenues:	
	Mobile Homes Licenses, interest income, back taxes, cost and penalties	58,074.00
	Total Estimated Revenue	$689,254.00
	TOTAL AMOUNT TO BE RAISED BY TAXES	$246,105.02

SECTION 2. The County Board of Commissioners is hereby instructed and required to use the money herein appropriated for the purposes specified and for no other purpose, and it is hereby forbidden in any way to overdraw or exceed the appropriation herein made for any purpose whatsoever, except upon the written consent of a majority of the legislative delegation, including the Senator. For the items covered in Section 1 of this act, it shall be unlawful for the clerk of the County Board of Commissioners or the purchasing Agent of Horry County to draw or sign any warrant or drafts on the county treasurer overdrawing any appropriation or authorization. For the items covered in Section 1 of this act, it shall be unlawful for the Treasurer of Horry County to pay from funds in his hands any amount not covered by the appropriation herein made or authorized by the written consent of a majority of the legislative delegation, including the Senator. Any appropriations herein made may be increased or decreased by the written consent of a majority of the legislative delegation, including the Senator. *Provided,* that the County Board of Commissioners is hereby required to prorate the amount of money herein appropriated for County Roads and Chain Gang and all other divisions and departments of the county government, except regular salaries which are to be paid monthly, on a quarterly basis, to the end that no department shall expend more than one-fourth of the appropriated funds during any quarterly period of the fiscal year beginning July 1, 1965, and ending June 30, 1966. *Provided,* further, that the amounts appropriated in Item 13 of this act shall be expended only after the written approval and authorization of a majority of the County Board of Commissioners. The County Board of Commissioners shall use as much as may be necessary of the amounts appropriated therein for setting up a road program in Horry County, which program shall be carried out by the chairman under the direction and control of the County Board of Commissioners.

SECTION 3. The jailor and/or matron shall receive no fees for dieting prisoners. The Horry County Police Commission shall have the duty to inspect the Horry County Jail at least once a month to see that it is kept clean at all times and that a jailor or county police officer is on duty at all times. The purchasing agent is authorized to make purchases of all foods, supplies, equipment and any and all things necessary for the proper maintenance of the county jail and the food and clothing of the prisoners therein. The jailor is to act

as jailor only, and he shall make no arrests outside of the jail, nor shall be allowed any compensation for the conveyance of prisoners. No person shall receive compensation for conveyance of prisoners.

SECTION 4. The County Board of Commissioners shall employ a certified public accountant (CPA) for the purpose of auditing semi-annually the books and examining the offices of Horry County, including the department of education, department of public welfare and the department of health and the County Board of Commissioners may make payment for such services not to exceed two thousand five hundred dollars, as provided in this act. Each member of the Legislative Delegation from Horry County shall be furnished a copy of the audit by the accountant making it.

SECTION 5. The County Board of Commissioners shall employ some suitable person who shall be designated custodian of the Horry County Courthouse and grounds, the custodian to serve in such capacity at the pleasure of the Board of Commissioners. The custodian shall be charged with the responsibility for all janitor service at the Horry County Courthouse, the Horry County Department of Education Building, the county office building on 4th Avenue, and the Horry County Memorial Library. The custodian of the courthouse and grounds is further charged with the responsibility of maintaining the grounds and protecting the shrubbery and such other duties as may be imposed upon him by the County Board of Commissioners. The custodian shall be given such assistants as the County Board of Commissioners may deem necessary.

SECTION 6. A majority of the legislative delegation, including the Senator, may employ a county attorney and pay same an amount not to exceed that provided for this purpose in this act. It shall be the duty of the county attorney to advise all boards, magistrates, and officers of the county and, in addition thereto, it shall be his duty to represent the county in all cases wherein the county's interest is affected, and he shall represent the sheriff's office and the county police in criminal proceedings when called upon.

SECTION 7. Before taking office each magistrate shall give bond in a sum to be fixed by the County Board of Commissioners, conditioned upon the faithful performance of his duties. The premiums on the bonds shall be paid by the county. The magistrates and coroner shall be required to put all material state witnesses under bond as

now provided by law, and at least ten days before the meeting of the Court of General Sessions shall lodge all papers pertaining to the court with the clerk of court, except cases which happen within the ten-day period, and cases where defendants have demanded preliminary hearings in writing and for good cause the magistrate has been unable to give a preliminary hearing. It shall be the duty of the sheriff and the chief of the county police to confer with the magistrates from time to time, familiarizing themselves with pending cases, attend inquests and see that witnesses are subpoenaed, placed under bond and paper lodged in the clerk's hands as herein provided. The sheriff and the county police shall cooperate with and assist the magistrates in preserving the peace and good order of the community.

SECTION 8. All books, supplies and material purchased under the provisions of this act shall be purchased by the Horry County Purchasing Agent as provided by special act.

SECTION 9. The Auditor of Horry County is hereby required to put the address of the taxpayer on each treasurer's duplicate. The Treasurer of Horry County is hereby authorized and directed to mail to taxpayers notice of taxes due in his office. Both the auditor and treasurer shall pay for the work required in this section from funds provided for clerical help in their respective offices, as provided for by this act. The failure of the treasurer to mail any tax notice shall in no wise relieve the taxpayer of obligation to pay such tax.

No county official or employee who is any way connected with the levying or collecting of taxes shall bid on any property at any tax sale, direct, indirect, or through a third party. Any violation of this provision shall immediately be brought to the attention of the County Board of Commissioners, and shall be prima facie cause for removal from office upon receipt of a recommendation to that effect by the County Board of Commissioners to the Governor or other proper official, and shall be prima facie for the immediate termination of employment.

SECTION 10. Twenty per cent of the liquor, wine and beer tax allotted to Horry County shall, as received by the treasurer, be paid to the Horry County Memorial Library Commission; the Commission shall use the funds for the operation of the Horry County Memorial Library, for the purchase of equipment, books and other necessities for the Horry County Memorial Library; and for the equipping and purchasing of equipment for the school libraries of Horry

County, the funds to be spent and allotted to the libraries as the Library Commission, or a majority thereof, shall determine.

SECTION 11. A majority of the legislative delegation, including the Senator, shall employ the Horry County Tax Collector and up to four deputy tax collectors. The tax collector shall receive as compensation in lieu of salary the sum of one dollar for each execution collected and two per cent commission of all taxes collected. The deputy tax collector shall receive one dollar on each execution collected.

Provided, the Horry County Board of Commissioners shall prescribe the necessary procedure for the keeping of records and making of reports for the office of the tax collector, not otherwise covered by existing law, subject to the approval of a majority of the legislative delegation, including the Senator.

SECTION 12. The Clerk of the County Board of Commissioners and the Horry County Purchasing Agent shall furnish to the Senator and each member of the house delegation, monthly, a statement in detail showing each expenditure made during the month, for what purpose expended and amount of the expenditure, and the balance remaining in the account from which the expenditure was made. The Clerk of the County Board of Commissioners and the Horry County Purchasing Agent shall make a written report to each member of the County Board of Commissioners of his activities during the month and proposals that he intends to make to the County Board of Commissioners five days prior to the regular meetings of the County Board of Commissioners.

SECTION 13. The County Board of Commissioners shall furnish to the Senator, and each member of the house delegation, a statement before the fifteenth day of February of each year, showing its activities during each quarterly period, along with a report of the financial status of the account and any recommendations that it sees fit to make to the delegation. The County Board of Commissioners shall furnish to the Senator and each member of the legislative delegation a statement in detail showing a proposed county appropriations act for the following year and also any legislation which it thinks should be enacted.

SECTION 14. No magistrate shall receive any part of fees, compensation or mileage in connection with tax execution warrants except

the one dollar allowed him by law. No county official shall receive any fees or compensation unless provided by law.

SECTION 15. The house now owned by Horry County on Second Avenue in the City of Conway, shall be used by the Jailor of Horry County as his residence. No part of the county jail shall be used for residential purposes.

SECTION 16. Any special authorization for county purposes to be hereafter made from the contingent account in Item 9B of Section 1 of this act by the County Board of Commissioners not in excess of one thousand dollars is hereby authorized. Sums in excess of one thousand dollars shall have the approval of a majority of the legislative delegation, including the Senator.

SECTION 17. All regular county employees receiving salaries or wages shall be allowed two week's leave with pay annually; *provided,* however, that no employee shall be entitled to such leave until he has been employed by the county for a period of twelve consecutive months; *provided,* further that after being employed for twelve consecutive months, such employee shall be entitled to the leave for such twelve month period, and thereafter shall be entitled to such annual leave pro rata with the period of employment; *provided,* further, that annual leave shall not accumulate except for the initial twelve month period of employment. The administrative heads of all departments are hereby instructed and required to arrange their work so that each employee of the county shall be allowed the two weeks' vacation with pay with the least possible inconvenience to the work of the office or department affected. In addition the following legal holidays and no others shall be observed by the employees of Horry County: New Year's Day, Independence Day-July fourth, Labor Day-the first Monday in September, Armistice Day-November eleventh, Thanksgiving Day and Christmas Day. Whenever any of these fall on Sunday, the Monday following is prescribed.

The County Board of Commissioners shall determine the hours and days during which the county offices and various departments of the county will be open for business. It will further determine policy in regard to working hours for county employees.

SECTION 18. The clerk of court shall, after each term of court, make a detailed report to the County Board of Commissioners and the legislative delegation on the amount of jury and witness fees spent

for the term of court; *provided,* that only two regular bailiffs shall be employed in Horry County.

SECTION 19. The County Board of Commissioners is hereby instructed to require out of the jurors and witness fees an itemized statement of all disbursements, such statement to be made after each term of court.

SECTION 20. The clerk of court's bond shall be twenty-five thousand dollars.

SECTION 21. Immediately after magistrate and city courts, all prisoners sentenced to county chain gang shall be transferred to the county jail by the county police or sheriff's deputy serving the court and a deputy sheriff or the county police shall be instructed by the proper authority to transfer city prisoners to county jail on the same day of trial.

SECTION 22. All travel pay hereinabove provided for shall be paid on a monthly basis of not more than one-twelfth of the total amount appropriated therefor. No disbursement therefor shall be made unless a verified itemized statement of the travel involved shall be presented to the County Board of Commissioners for its approval.

SECTION 23. Any new employee filling any position for which funds are appropriated by this act shall receive ten per cent less during the first six months of employment, and five per cent less during the next six months of employment than the amount appropriated for such position. Any person transferring from a lower to a higher paying position shall be considered as a new employee.

SECTION 24. All acts or parts of acts inconsistent herewith are repealed. If any section or provision of this act shall be held unconstitutional, such holding shall not affect, impair, or invalidate any of the remaining sections or provisions.

SECTION 25. This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R249, S196)

No. 655

An Act Providing For The Creation Of Watershed Conservation Districts In Jasper County, And The Election Of Directors Of Watershed Conservation Districts And Their Powers And Duties; And Providing For A Levy Of Taxes For The Organization And Administration Of Such Districts, And For The Construction, Operation And Maintenance Of Works Of Improvement Within Such Districts.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Definitions.—Whenever used or referred to in this act, unless a different meaning clearly appears from the context:

(1) "Watershed conservation district" means a governmental subdivision of this State, and a public body corporate and politic, organized in accordance with the provisions of this act, for the purposes, with the powers, and subject to the restrictions hereinafter set forth.

(2) "Director" means one of the members of the governing body of a watershed conservation district, elected in accordance with the provisions of this act.

(3) "Supervisor" means one of the members of the governing body of the Jasper Soil Conservation District in which any part of a watershed conservation district is situated.

(4) "Petition" means a petition filed under the provision of Section 4 of this act for the creation of a watershed conservation district.

(5) "County" means Jasper County of South Carolina.

(6) "Landowner" or "owner of land" includes any person, firm or corporation who shall hold legal or equitable title to any lands lying within a watershed conservation district organized under the provisions of this act.

(7) "Due notice" means notice published at least twice, with an interval of at least one week between the two publication dates, in a publication of general circulation within the appropriate area, or, if no such publication of general circulation be available, notice posted at a reasonable number of conspicuous places within the appropriate area, such posting to include, where possible, posting at public places where it is customary to post notices concerning county or municipal affairs generally.

SECTION 2. Watershed Conservation Districts may be formed in Jasper County.—Authority is hereby granted to form watershed

conservation districts within Jasper County for the purpose of developing and executing plans and programs relating to any phase of the control and prevention of soil erosion, flood prevention, or the conservation, development, utilization, and disposal of water.

SECTION 3. Area.—The area embraced in a watershed conservation district must be contiguous and must lie within a well-defined watershed; and such area shall not include lands located within the boundary of any incorporated city or town, or lands embraced in another watershed conservation district.

SECTION 4. Petition for formation.—When twenty-five or more landowners within a proposed watershed conservation district, or, if less than fifty landowners are involved, a majority of such landowners, desire to form a watershed conservation district, they shall file a petition with the supervisors of the soil conservation district asking that a watershed conservation district be organized to function in the area described in the petition. Such petition shall set forth the proposed name of the watershed conservation district; that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory described in the petition; a description of the territory proposed to be organized as a watershed conservation district, which description need not be given by metes and bounds or by legal subdivisions, but shall be deemed sufficient if generally accurate; and the approximate number of acres of land included in the proposed watershed conservation district.

SECTION 5. Hearing on petition.—(1) Within thirty days after such petition has been filed with the supervisors of the soil conservation district, they shall cause due notice to be given of a hearing upon the question of the desirability and necessity, in the interest of the public health, safety, and welfare, of the creation of such watershed conservation district. All interested parties shall have the right to attend such hearing and to be heard. If it shall appear at the hearing that other lands should be included in the petition or that lands included in the petition should be excluded, the supervisors shall permit such inclusion or exclusion, provided the land area involved still meets the requirements of Section 3 of this act.

(2) If it appears upon the hearing that it may be desirable to include within the proposed watershed conservation district territory outside of the area within which due notice of the hearing has been given, the hearing shall be adjourned and due notice of a further

hearing shall be given throughout the entire area considered for inclusion in the proposed watershed conservation district, and such further hearing shall be held. After final hearing, if the supervisors of the soil conservation district determine, upon the facts presented at the hearing and upon other available information, that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory considered at the hearing, they shall make and record such determination, and shall define the area, but the description need not be given by metes and bounds. The description shall be deemed sufficient if generally accurate and the approximate number of acres of land included in the proposed watershed conservation district is shown.

(3) If the supervisors of the soil conservation district determine after such hearing that there is no need for a watershed conservation district to function in the territory considered at the hearing, they shall make and record such determination and shall deny the petition.

SECTION 6. Referendum.—After the supervisors of the soil conservation district have made and recorded a determination that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory considered at the hearing, and have defined the boundaries thereof, they shall consider the question whether the operation of a watershed conservation district within the proposed boundaries with the powers conferred upon it by this act is administratively practicable and feasible. To assist the supervisors in making this determination, they shall, within a reasonable time after the entry of a finding that there is need for the organization of a watershed conservation district and the determination of the boundaries thereof, hold a referendum within the proposed watershed conservation district upon the proposition of the creation of the watershed conservation district. Due notice of the referendum shall be given by the supervisors. Such notice shall state the date of holding the referendum, the hours of opening and closing the polls, and shall designate one or more places within the proposed watershed conservation district as polling places and shall give notice that the directors shall have the power of eminent domain. The supervisors shall have full charge of the referendum and shall have suitable ballots printed and furnished to each polling place; appoint necessary box managers and other referendum officials, and shall canvass the referendum and announce the results. The cost of holding the referendum shall be paid from the general fund of Jasper County. *Provided,*

that notwithstanding any provision of law to the contrary the power of eminent domain shall not be exercised over the protest of any landowner until it is conclusively established that the land proposed to be condemned is absolutely essential to the creation and operation of the watershed conservation district.

SECTION 7. Question.—The question to be voted on shall be submitted by ballots upon which appear the words:

"For creation of .....Watershed Conservation District"
"Against creation of .....Watershed Conservation District"

A square shall follow each proposition. The ballot shall contain a direction to insert an "X" mark in the square following one or the other of the propositions as the voter may favor or oppose creation of the watershed conservation district. The ballot shall set forth the boundaries of the proposed watershed conservation district as determined by the supervisors of the soil conservation district. No one except owners of lands lying within the boundaries of the proposed watershed conservation district, as determined by the supervisors of the soil conservation district, shall be eligible to vote in the referendum. Qualified voters may vote by absentee ballot in the referendum under such rules and regulations as may be prescribed by the supervisors. No informalities in the conduct of the referendum or in any matters relating thereto shall invalidate the referendum or the result thereof if notice of the referendum shall have been given substantially as herein provided and the referendum shall have been fairly conducted.

SECTION 8. Results—district to be created if results and determination favorable.—The votes shall be counted by the referendum officials at the close of the polls and a report of the results along with the ballots shall be delivered and certified to the supervisors of the soil conservation district; and thereafter the supervisors shall determine whether the operation of the watershed conservation district within the defined boundaries is administratively practicable and feasible. If the supervisors determine that the operation of such district is not administratively practicable and feasible, they shall record such determination and deny the petition. If the supervisors determine that the operation of such district is administratively practicable and feasible, they shall record such determination and shall proceed with the organization of such district in the manner hereinafter set forth; *provided,* however, that the supervisors shall not have authority to determine that the operation of such district is administratively prac-

ticable and feasible unless at least a majority of the votes cast in the referendum upon the proposition of the creation of such district shall have been cast in favor of the creation of such district. If the supervisors shall determine that the operation of such district is administratively practicable and feasible, they shall certify such determination to the Clerk of Court of Jasper County and to the Secretary of State. Upon proper recordation of such determination, such watershed conservation district shall constitute a governmental subdivision of this State and a public body corporate and politic. After being recorded, such certification shall be filed with the State Soil Conservation Committee.

SECTION 9. Board of directors to govern district—nominating petitions—election—ballots—terms—officers—bond of treasurer. —(1) The governing body of the watershed conservation district shall consist of five directors, elected as provided herein.

(2) Within thirty days after a watershed conservation district has been created, nominating petitions may be filed with the supervisors of the soil conservation district to nominate candidates for directors of the watershed conservation district. No such nominating petition shall be accepted by the supervisors unless it is signed by twenty-five or more landowners within the watershed conservation district, or, if less than fifty landowners are involved, by a majority of such landowners. If the candidates nominated do not exceed the number of directors to be chosen, the supervisors shall declare them to be elected. No person shall be eligible to be a director of a watershed conservation district who is not a landowner in the watershed conservation district in which he seeks election.

(3) If the candidates nominated for directors of the watershed conservation district exceed the number of directors to be chosen, the supervisors of the soil conservation district shall, after having given due notice thereof, cause an election to be held within the watershed conservation district within a reasonable time after the expiration of the nominating period. The provisions of Sections 5, 6 and 7 of this act as to notice, qualifications of voters, absentee voting, and the manner of holding the referendum in organizing a watershed conservation district, shall apply insofar as practicable to the election of the directors. The names of all qualified nominees shall be printed in alphabetical order upon ballots with a square before each name and a direction to insert an "X" mark in the square before any five names to indicate the voter's preference. Only landowners within the water-

shed conservation district shall be eligible to vote in the election. The five candidates who shall receive the largest number respectively of the votes cast in the election shall be the directors of the watershed conservation district, and shall, upon the supervision of the supervisors of the soil conservation district, be the governing body of the watershed conservation district.

(4) Of the directors first elected, the two receiving the largest number of votes shall serve for terms of four years, the two receiving the next largest number of votes shall serve for terms of three years, and the one receiving the next largest number of votes shall serve for a term of two years. The term of office of each of their successors shall be for four years, and until their successors have been appointed or elected and qualify. Vacancies shall be filled in the manner of the original appointment for the unexpired portion of the term only.

(5) The directors shall annually designate from among their number a chairman, secretary, and treasurer. The treasurer shall execute an official bond for the faithful performance of the duties of his office, to be approved by the directors. Such bond shall be executed by a surety company authorized to do business in this State and shall be in an amount determined by the directors. The premium on each bond shall be paid by the watershed conservation district.

SECTION 10. District to be corporate body—powers and duties. —A watershed conservation district organized under the provisions of this act shall constitute a governmental subdivision of this State, and a public body corporate and politic, exercising public powers, and such district and the directors thereof shall, subject to the approval of the supervisors of the soil conservation district, have the following powers, in addition to others granted in other sections of this act:

(1) To acquire, by purchase, exchange, lease, gift, grant, bequest, devise, or otherwise, or through condemnation proceedings in the manner provided in Sections 25-101 through 25-140 and Sections 33-121 through 33-148, Code of Laws of South Carolina, 1962, such lands, easements, or rights-of-way as are needed to carry out any authorized purpose of the watershed conservation district; and to sell, lease, or otherwise dispose of any of its property or interests therein in furtherance of the purposes and provisions of this act; *Provided,* that the power of eminent domain conferred hereunder shall not extend to the property of any public utility that the utility could have acquired under its power of eminent domain.

(2) To construct, reconstruct, repair, enlarge, improve, operate, and maintain such works of improvement as may be necessary or convenient for the performance of any of the operations authorized by this act;

(3) To borrow money and to execute promissory notes and other evidences of debt in connection therewith for payment of the costs and expenses of organizing the watershed conservation district or for carrying out any authorized purpose of such district, and if promissory notes are issued, to execute such mortgages on any property owned by such district, or assign or pledge such revenues or assessments of such district as may be required by the lender as security for the repayment of the loan; and to issue, negotiate, and sell its bonds as provided in Section 11 of this act;

(4) To levy an annual tax on the real property within the district subject to the limitations provided in Section 13 of this act for payment of the costs and expenses of organizing the watershed conservation district or for carrying out any authorized purpose of such district. Such levy shall be made only after approval by the supervisors of the soil conservation district and upon notifying the county auditor.

(5) Where watersheds cross county or state lines, the watershed directors are authorized to work with similar organizations in determining cost sharing to solve common problems.

SECTION 11. Bonds not to be issued unless referendum held.—(1) Bonds authorized by Section 10 of this act shall not be issued until proposed by order or resolution of the directors of the watershed conservation district, specifying the purpose for which the funds are to be used and the proposed undertaking, the amount of bonds to be issued, the rate of interest they are to bear, and the amount of any necessary tax levy in excess of the maximum authorized in Section 13 of this act. A copy of the order or resolution shall be certified to the supervisors of the soil conservation district.

(2) The supervisors shall hold a hearing on such proposal after having given due notice. If it appears that the proposal is within the scope and purpose of this act and meets all other requirements of the law, the proposal shall be submitted to the landowners of the district by a referendum held by the supervisors.

(3) The provisions of Sections 5, 6 and 7 of this act as to notice, qualifications of voters, absentee voting, and manner of holding the referendum in organizing a watershed conservation district shall apply to the referendum held under this section.

(4) If two-thirds of the votes cast in such referendum favor the proposal, the directors shall, with the approval of the supervisors, be authorized to issue such bonds.

SECTION 12. Compensation.—The directors of the watershed conservation district shall receive no compensation for their services, but they may be reimbursed for expenses, including traveling expenses, necessarily incurred in the performance of their duties as approved by the supervisors of the soil conservation district.

SECTION 13. Budget—tax levy.—Within the first quarter of each calendar year, the directors of the watershed conservation district shall prepare an itemized budget of the funds needed for administration of the watershed conservation district and for construction, operation and maintenance of works of improvement. After approval of such budget by the supervisors of the soil conservation district, the county auditor shall levy a tax sufficient to meet such budget on all real property within the watershed conservation district of not to exceed five mills on each dollar of assessed valuation, except that this limitation shall not apply to any levy necessary to provide a sinking fund for the retirement of bonds authorized by Section 11 of this act. A copy of such budget shall be certified to the Auditor of Jasper County.

SECTION 14. List of landowners and acres subject to assessment.—(1) The directors of the watershed conservation district, with the assistance of the county auditor, shall prepare a list of the landowners involved showing the number of acres subject to assessment.

(2) When the property tax rolls are delivered to the county treasurer by the county auditor, as required by law, the county treasurer shall compute the tax due the watershed conservation district from each landowner in accordance with the rate fixed by the directors and the value of the real property indicated on the tax roll. The computation shall be made on the regular tax bills.

SECTION 15. Collection of taxes.—(1) The county treasurer shall collect the taxes due the watershed conservation district at the same time and in the same manner as he collects other taxes of the county.

(2) The taxes shall be subject to the same due and delinquency dates, discounts, penalties and interests as are applied to the collection of county taxes.

SECTION 16. Expenditures.—Tax funds collected shall be transferred to and held by the treasurer of the watershed conservation district for the specific purpose for which they have been collected. All expenditures of such funds shall be made by the directors of the watershed conservation district with the approval of the supervisors of the soil conservation district.

SECTION 17. Petition to have lands detached.—The owners of lands which have not been, are not and cannot be benefited by their inclusion in the watershed conservation district may petition the supervisors of the soil conservation district to have such lands detached. The petition shall describe such lands and state the reasons why they should be detached. A hearing shall be held by the supervisors within thirty days after the petition is filed and due notice of such hearing shall be given by the supervisors. If it is determined by the supervisors that such lands shall be detached, such determination shall be certified to the Auditor of Jasper County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee.

SECTION 18. Petition for discontinuance of district—hearing—referendum—discontinuance if election and determination favorable.—(1) At any time after five years after the organization of a watershed conservation district, twenty-five or more landowners within such district, or if less than fifty landowners are involved, a majority of such landowners, may file a petition with the supervisors of the soil conservation district asking that the existence of the watershed conservation district be discontinued. The petition shall state the reasons for discontinuance, and that all obligations of the watershed conservation district have been met. The supervisors may conduct such hearings upon the petition as may be necessary to assist them in the consideration thereof.

(2) Within sixty days after such petition has been filed with the supervisors they shall give due notice of the holding of a referendum. The supervisors shall hold such referendum substantially as provided for in Section 11 of this act. The question shall be submitted by ballots upon which the words "For terminating the existence of the..... Watershed Conservation District" and "Against terminating the existence of the ..... Watershed Conservation District" shall be printed, with a square before each proposition and a direction to insert an "X" mark in the square before one or the other of the propositions as the voter may favor or oppose the discontinuance of

such watershed conservation district. Only landowners within the watershed conservation district shall be eligible to vote in such referendum. No informality in the conduct of the referendum or in any matters relating thereto shall invalidate the referendum or the results thereof if notice of the referendum shall have been given substantially as herein provided and the referendum shall have been fairly conducted.

(3) The supervisors shall publish the results of the referendum and shall thereafter determine whether the continued operation of the watershed conservation district is administratively practicable and feasible. If the supervisors determine that the continued operation of the watershed conservation district is administratively practicable and feasible, they shall record such determination and deny the petition. If the supervisors determine that the continued operation of the watershed conservation district is not administratively practicable and feasible, they shall record such determination and shall certify such determination to the directors of the watershed conservation district; *provided,* however, that the supervisors shall not be authorized to determine that the continued operation of the watershed conservation district is administratively practicable and feasible unless at least a majority of the votes cast in the referendum shall have been cast in favor of the continuance of the watershed conservation district.

(4) Upon receipt from the supervisors of a certification that they have determined that the continued operation of the watershed conservation district is not administratively practicable and feasible, the directors shall forthwith proceed to terminate the affairs of the watershed conservation district. A copy of the determination shall be certified to the Auditor of Jasper County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee.

SECTION 19. Supervisory authority if district discontinued.—If the Jasper County Soil Conservation District is discontinued, all supervisory authority over the affairs of the watershed conservation district which was previously exercised by the supervisors shall thereafter be exercised by the governing body of Jasper County.

SECTION 20. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1965

(R727, H1846)

No. 656

An Act To Provide For The Levy Of Taxes For Ordinary County Purposes In Jasper County For The Fiscal Year Beginning July 1, 1965, And Ending June 30, 1966; To Provide For The Expenditure Thereof; And To Authorize The Borrowing Of A Sufficient Sum To Meet The Appropriations Made For The Year Beginning July 1, 1964; To Provide For The Closing Of County Offices And To Provide For Liability Insurance Coverage On Certain Motor Vehicles.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. There is hereby levied upon all the taxable property of Jasper County a sufficient number of mills by the auditor from assessment of the property therein which, together with fines, forfeitures and taxes collected by various officers and all income of the county, shall raise the amount herein appropriated and for the purposes herein stated.

Item 1.	Roads and Bridges	$ 24,000.00
	Provided, that the maintenance and operation of the supervisor's vehicles will be paid from this account upon the approval of the county board of commissioners.	
	Total	$ 24,000.00
Item 2.	Clerk of Court:	
	Salary, Clerk of Court	$ 5,325.00
	Salary, Deputy Clerk	2,220.00
	Total	$ 7,545.00
Item 3.	Sheriff's Office:	
	Salary, Sheriff	$ 5,325.00
	Two Deputy Sheriffs @ $4,326.00 each	8,652.00
	Salary, Clerk	2,220.00
	Uniforms for Sheriff and two Deputies	500.00
	Uniform for Jailor	25.00
	Provided, Jailor may wear uniform only during sessions of county court and on out-of-county trips on official business of the Sheriff's office. *Provided,* county cars shall be for the official use	

	only of the Supervisor, Sheriff and two Deputy Sheriffs, and shall be clearly marked.	
	Purchase New Automobiles	4,000.00
	Vehicle maintenance, operation and insurance	3,000.00
	Total	$ 23,722.00
Item 4.	Treasurer's Office:	
	Treasurer's salary—an amount sufficient to supplement the amount provided by the State, so as to make his total salary $5,325.00	$ 1,130.00
	Salary for clerk for Auditor and Treasurer	2,776.00
	Total	$ 3,906.00
Item 5.	Auditor's Office:	
	Auditor's salary—an amount sufficient to supplement the amount provided by the State, so as to make her total salary $5,325.00	$ 1,130.00
	Total	$ 1,130.00
Item 6.	Board of Education:	
	Salary, Superintendent of Education, an amount sufficient to supplement the amount provided by the State, so as to make his total salary $5,325.00	200.00
	Salary, Clerk	2,400.00
	Members of Board of Education, eight @ $412.00 each	3,296.00
	Travel, Superintendent of Education	900.00
	Total	$ 6,796.00
Item 7.	Judge of Probate's Office:	
	Salary, Judge of Probate	$ 5,325.00
	Salary, Clerk	1,112.00
	Total	$ 6,437.00
Item 8.	Coroner's Office:	
	Salary, Coroner	$ 618.00
	Total	$ 618.00

Item 9. County Board of Commissioners:

Salary, Supervisor of Roads	$ 5,325.00
Salary, four Commissioners @ $927.00	3,708.00
Salary, Clerk	1,112.00

Provided, the county board of commissioners shall assume the responsibility of county roads and bridges in their respective townships and shall program all construction and maintenance. *Provided,* further, that Gillisonville Square Courthouse grounds shall be maintained and kept up by the Supervisor.

Total	$ 10,145.00

Item 10. Magistrates and Constables:

Magistrate at Ridgeland	$ 3,162.00
Constable at Ridgeland	1,473.00
Magistrate at Hardeeville	2,647.00
Constable at Hardeeville	1,030.00
Magistrate at Grays	1,082.00
Constable at Grays	1,030.00
Magistrate at Tillman	1,082.00
Constable at Tillman	1,030.00
Constables' travel	1,236.00

Provided, that the Constables at Ridgeland and Hardeeville shall receive thirty dollars per month as travel supplement; *provided,* further, that the Constables at Grays and Tillman shall receive twenty dollars per month travel supplement.

Total	$ 13,772.00

Item 11. County Jail:

Salary, Jailor	$ 2,498.00

Provided, Sheriff may use Jailor as Deputy when deemed advisable.

Dieting of prisoners ($1.50 per day)	2,400.00

Provided, that twenty-four hours shall constitute one day.

Jail Expense	600.00
Total	$ 5,498.00

Item 12.	Court Expense:	
	Court Expenses	$ 2,000.00
	Provided, that bailiff and jurors shall be paid seven dollars per day.	
	Total	$ 2,000.00
Item 13.	Health Work:	
	Health Unit, plus balance from previous year	$ 4,594.00
	Total	$ 4,594.00
Item 14.	Public Buildings	$ 14,000.00
	Provided, that no private telephones in private residences will be paid from this account. Any official serving Jasper County whose duties may require long distance calls after office hours will be provided with a credit card issued by the county board of commissioners.	
	Total	$ 14,000.00
Item 15.	Farm and Home Demonstration Work:	
	Expense, Home Demonstration Agent	$ 500.00
	Expense, County Agent	500.00
	Stenographer for County Home Demonstration and County Agents	650.00
	Boys' 4-H Club Work	125.00
	Girls' 4-H Club Work and Farm Women's Work	275.00
	Demonstration Supplies for Home Demonstration Agent	50.00
	Stamps, incidentals and office supplies for County and Home Demonstration Agents	100.00
	Corn Contest	100.00
	Total	$ 2,300.00
Item 16.	Rent:	
	Forestry Office	$ 96.00
	Total	$ 96.00

Item 17. County's portion of support to public schools . . $265,000.00
Provided, that all school budgets will be submitted to the county board of education prior to February first of each year. *Provided,* further, that the county board of education shall advise the delegation of the school needs for each fiscal year prior to March first of each year. *Provided,* further, that $15,000.00 be transferred from the General Fund, if that amount be needed.

Total $265,000.00

Item 18. Miscellaneous

County Attorney	$ 860.00
Provided, he shall handle all small county cases and advise all county officials, except the Sheriff, on criminal matters.	
County Service Officer, supplement to salary ..	265.00
Janitor, Courthouse and Grounds	2,060.00
Janitor, Agricultural Building, Welfare Office and Health Center	803.00
Provided, that this shall be taken care of by the supervisor.	
Three Forestry Wardens @ $450.00	1,350.00
Provided, that all wardens receiving this travel must be under the supervision of the Jasper County Forestry Board.	
Travel outside county	300.00

The following county officials, when traveling outside of Jasper County on official business, shall be paid seven cents per mile and expenses; Senator, Representative, Sheriff, Deputy Sheriff, Supervisor, Superintendent of Education, Judge of Probate, Auditor, Treasurer, Clerk of Court, County Attorney and Service Officer. Also, these officials may draw seven dollars per day for expenses when they are out of the county on official business overnight. *Provided,* that all claims are approved by the County Commissioners. *Provided,* further, that prior approval of the Supervisor shall be obtained for the purpose of making

trips outside of the county except for law enforcement officers.	
Board of Assessors and Equalization	2,500.00
Secretary, Board of Registration	622.00
Public Welfare Fund:	
Supplement to salaries	2,529.00
Emergency Welfare Fund	1,000.00
Provided, these funds shall be payable on the order of the County Board of Public Welfare, and no payment shall exceed the sum of $25.00 to any one family or person.	
Attendance Teacher Charity Fund	200.00
Post Mortems, Inquests and Lunacies	700.00
Provided, that the Sheriff shall serve civil and criminal papers pertaining thereto. In the event that the Coroner of Jasper County is sick or otherwise disqualified, the Magistrate of Ridgeland shall hold post mortems and inquests without compensation; *provided,* further, that the examining physician shall be paid $10.00 per examination.	
Provided, Coroner's Magistrates' jurors shall be paid two dollars per day.	
Vital Statistics	400.00
There is hereby appropriated the necessary fund to supplement the cost of operation of the Ridgeland Hospital; *provided,* that the books and records of the hospital be audited along with the county books	12,000.00
Physician	300.00
Printing, postage, stationery and advertising	4,000.00
State Retirement System	6,000.00
Social Security	3,800.00
Library Fund	3,292.00
National Guard Fund and Janitorial Service	2,000.00
Provided, such fund shall be used for the payment of fuel, lights and telephone.	
Jasper County Farm Bureau Marketing Commission	200.00
Jasper County Development Board	7,000.00

	Bond premiums	800.00
	Burial expense, paupers	200.00
	Provided, that this expense be approved by the Public Welfare Board.	
	Forestry Ranger	321.00
	Fire Tower Wardens	770.00
	School Lunch Program	2,000.00
	Provided, this shall be paid only upon vouchers approved by the school lunch supervisor.	
	Hospitalization	6,000.00
	Provided, this shall be paid when approved by the Public Welfare Board; and *provided,* further, that a list of patients and the amount be made available to the Board of Commissioners on or before each first Monday of every month.	
	Miscellaneous Contingent Fund	10,000.00
	Provided, that this fund shall be used upon written approval of the legislative delegation as it deems necessary to supplement any account except salaries.	
	Audit of County Books	2,000.00
	Miscellaneous County Fund	1.00
	Total	$ 74,273.00
Item 19.	Civil Defense	$ 5,000.00
	Total	$ 5,000.00
Item 20.	Registration Board, three members @ $260.00 each	$ 780.00
	Total	$ 780.00
Item 21.	Interest, etc.:	
	Interest on county indebtedness	$ 1.00
	Total	$ 1.00
Item 22.	Refund for overpayment of taxes to Holiday Wear, Inc., and Jasper Realty Management Co.	$ 586.60
	Total	$ 586.60

Item 23.	Coastal Empire Mental Health Center	$ 3,000.00
	Total	$ 3,000.00
Item 24.	Secretary, Circuit Court Judge	$ 300.00
	Total	$ 300.00
	GRAND TOTAL	$475,499.60
	Less Estimated Revenues other than Taxes:	
	Fines and Licenses	$ 53,000.00
	Income Tax	25,000.00
	Beer and Wine Tax	4,000.00
	Liquor Tax	12,000.00
	Gas Tax (1 cent)	45,000.00
	Miscellaneous	15,000.00
	Total	$154,000.00
	Amount to be raised by taxation	$321,499.60

SECTION 2. The townships' assessors and members of the county board of equalization shall receive ten dollars per day for the time actually employed and seven cents per mile for necessary travel.

SECTION 3. The supervisor is hereby authorized and required to pay on the first Monday in May to the widows of Confederate Veterans living at that time and residents of Jasper County sixty dollars each.

SECTION 4. The supervisor is hereby prohibited from issuing a check to any magistrate until the magistrate has filed with him a statement of the names of all parties for whom warrants have been issued during the previous month and the disposition of each and a receipt from the treasurer.

SECTION 5. The County Commissioners shall let bids for the auditing of the county books and of Ridgeland Hospital books and shall award the bid to the lowest competent accountant. The treasurer is hereby empowered to pay for same from the county general fund. *Provided,* that a copy of this audit shall be furnished to each member of the legislative delegation immediately upon completion of the report. The county attorney is to approve the legality of the contract.

SECTION 6. It is hereby made unlawful for the supervisor, the county board or any other officer of the county to exceed the appropriation set forth. If any one overspends an appropriation or spends the appropriation for any purpose not specifically provided herein, it shall be deemed an act of official misconduct and the officials so offending shall be forthwith removed from office.

SECTION 7. The clerk of court is hereby authorized and required to pay jurors seven cents' mileage for each day's attendance upon court.

SECTION 8. No claims shall be paid by the supervisor or the county board unless the same are itemized and probated.

SECTION 9. Any county official or employee who falsifies any claim against the county shall be subject to immediate dismissal or removal from office.

SECTION 10. The farm demonstration agent and the home demonstration agent shall be appointed by proper authorities by and with the consent of Jasper County's Legislative Delegation.

SECTION 11. In order to meet the appropriations provided for in this act, the treasurer, supervisor and the county commissioners of Jasper County are authorized and empowered to borrow, as and when needed, such sums as may be necessary, not exceeding a total of thirty-five thousand dollars, and at a rate of interest not exceeding five per cent per annum, to meet the appropriations and expenditures herein made. The officers shall execute notes for Jasper County as evidence of such indebtedness and may pledge the taxes herein levied.

SECTION 12. The Supervisor of Jasper County, before purchasing or placing an order for equipment, material, supplies, goods, wares or merchandise, or for anything whatsoever needed and used for county purposes in an amount in excess of one hundred dollars, shall have presented the same at a regular meeting of the county board of commissioners and have the approval of the majority of the commissioners.

SECTION 13. The County Treasurer of Jasper County, upon the written direction of a majority of the Jasper County Delegation in the General Assembly, is hereby authorized and empowered to lend from any available funds of Jasper County, to the school district or county board of education from the county general fund, or the

county surplus fund, such sum or sums of money as may be directed in writing, to any school district or county board of education in Jasper County in need of funds.

SECTION 14. The county supervisor is hereby authorized to grant up to ten days' annual leave with pay to county employees and up to ten days' annual sick leave with pay, provided the employee is under a doctor's care.

SECTION 15. Any funds accruing to the general fund of the county in excess of the amount appropriated by this act may be transferred to a fund and be utilized for renovation of the jail upon approval of the legislative delegation.

SECTION 16. Should the General Assembly in any subsequent year fail to enact an appropriations act for Jasper County the appropriations and tax levy herein set forth shall be the appropriations act for such subsequent year for Jasper County.

SECTION 17. Should a deficit result from the appropriations made in the 1964-1965 county appropriations act there is hereby appropriated a sufficient amount to cover this deficit.

SECTION 18. The Treasurer of Jasper County is authorized upon the written approval of the legislative delegation to borrow such sums as may be necessary to meet the obligations set forth in the county appropriations act beginning July 1, 1965.

SECTION 19. All work on privately-owned property by the supervisor shall have the approval of the full county board of commissioners thirty days prior to such work.

SECTION 20. The Jasper County Delegation may add items and transfer from contingent funds for the payment thereof to subsection Miscellaneous County Fund in the Miscellaneous Section of this act.

SECTION 21. No future county clerk shall receive an annual salary of more than two thousand dollars per annum during the first fiscal year of their employment.

SECTION 22. All gasoline used by the Sheriff's Department and the County Supervisor will be supplied from a tank at the County Equipment Garage. This tank shall be equipped with individual keys and individual meters so that the Sheriff, two Deputy Sheriffs and the Supervisor will be held responsible for gasoline furnished through

their meter. The Supervisor shall present to the County Board of Commissioners a monthly statement of gasoline consumption. In case there should be an emergency on the road, the individuals of these departments are permitted to purchase gasoline and oil and are required to furnish an itemized statement for reimbursement for same.

SECTION 23. Each agency or department of the county receiving appropriated funds under this act shall at the end of this fiscal year file with the Clerk of Court an accounting to the use of such funds. This accounting shall be available for examination or inspection by the citizens of Jasper County.

SECTION 24. Lands owned by the Ridgeland Business Development Corporation and Hardeeville Business Development Corporation in Jasper County shall not be subject to county taxes.

SECTION 25. Prisoners serving time in Jasper County jail may be used by the County Supervisor's office for work on public buildings, grounds and roads upon the approval of the Sheriff.

SECTION 26. The County Board of Commissioners of Jasper County shall determine the cost of license for non-resident fireworks salesmen.

SECTION 27. Upon a favorable vote by a majority of the county officials, county offices, within the discretion of the several department heads, may be closed at 1:00 o'clock P. M. on Wednesday or Thursday.

SECTION 28. All persons responsible for the care and maintenance of any motor vehicle registered in the name of Jasper County or any entity of the county shall file with the County Board of Commissioners proof that the vehicle is covered with the minimum liability insurance required by law.

SECTION 29. This act shall take effect upon approval by the Governor.

Approved the 19th day of June, 1965.

(R284, S237) **No. 657**

An Act To Authorize And Empower The Board Of Trustees Of The School District Of Kershaw County To Issue Not Exceeding One Million Five Hundred Thousand Dollars Of General Obligation Bonds Of The School District, To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which Their Proceeds May Be Expended, And To Make Provision For The Payment Of The Bonds

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that there exists an immediate need for new buildings and improvements and enlargements of existing buildings in the public school system of the School District of Kershaw County (the school district), and there also exists the need for the repayment of moneys borrowed by Kershaw County for the school district for construction of Phelps Auditorium and Camden Street High School Gymnasium and has determined to permit the Board of Trustees of the School District (the board) to construct and equip such facilities and to repay the moneys previously borrowed on behalf of the school district for school construction with the proceeds of the bonds authorized by this act.

SECTION 2. Bond issue authorized.—The board may construct and equip additional school buildings and enlarge and improve existing public school facilities in the school district and repay the moneys previously borrowed on behalf of the school district for school construction, and in order to raise moneys therefor, the board may issue and sell general obligation bonds of the school district (without the necessity of holding an election), in an amount not to exceed one million five hundred thousand dollars, if on the particular occasion that bonds are issued the applicable constitutional debt limitation shall not be exceeded.

SECTION 3. Maturity.—All bonds issued pursuant to this act shall mature in such annual series or instalments as the board shall provide, except that the first maturing bonds shall mature within three years from the date of issue; not less than three per cent of the bonds shall mature in each year; and no bond shall mature later than twenty-five years from the date of issue.

SECTION 4. Redemption.—Any bond issued pursuant to this act may be issued with a provision permitting its redemption prior to its stated maturity, at par and accrued interest, plus such redemption premium as may be prescribed by the board, but no bond shall be redeemable prior to its stated maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of such bonds, provision shall be made specifying the manner of call and the notice thereof that must be given as to bonds made redeemable prior to their stated maturities.

SECTION 5. Form.—The bonds issued pursuant to this act shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Kershaw County, upon such conditions as the board may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instrument law.

SECTION 6. Where payable.—The bonds issued pursuant to this act shall be made payable at such place, within or without the State, as the board shall provide.

SECTION 7. Interest.—Bonds issued pursuant to this act shall bear interest at rates determined by the board.

SECTION 8. Denomination.—The bonds and the coupons to be thereunto attached shall be in such denomination and shall be executed in such manner as the board shall by resolution prescribe.

SECTION 9. Sale.—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. Such published notice shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 10. Payment.—For the payment of the principal and interest of all bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the school district shall be irrevocably pledged, and there shall be levied annually by the Auditor of Kershaw County, and collected by the Treasurer of Kershaw County, in the same manner as county taxes are levied and

collected, on all taxable property in the school district, a tax sufficient to pay the principal and interest of the bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

SECTION 11. Exempt from taxes.—The principal and interest of bonds issued pursuant to this act shall have the tax-exempt status prescribed by Section 65-4.1, Code of Laws of South Carolina, 1962.

SECTION 12. Proceeds.—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of Kershaw County, to be deposited in a bond account fund for the school district, and shall be expended from time to time and made use of as follows:

(a) Any accrued interest shall be applied to the payment of the first instalment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first instalment of principal of such bonds.

(c) The remaining proceeds shall be expended, upon the warrant or order of the board, for the following purposes:

(1) To defray the cost of issuing the bonds authorized by this act; and

(2) To provide for additional public school facilities for the school district, and to repay the moneys previously borrowed on behalf of the school district for school construction in the manner contemplated by Section 2 of this act.

(d) If, after the final completion of the board's program, the board shall certify to the Treasurer of Kershaw County that any remaining balance in the bond account is no longer needed for its program, then such balance shall be held by the treasurer and used to effect the retirement of bonds then outstanding, which shall have been issued pursuant to this act.

SECTION 13. Powers to be additional.—The powers and authorizations hereby conferred upon the board shall be in addition to all other powers and authorizations previously vested in the board and may be availed of pursuant to action taken at any regular or special meeting of the board.

SECTION 14. No further action required.—No election is prescribed as a condition precedent to the issuance of bonds pursuant to this act, and no action other than that prescribed herein need be taken

to effect the issuance of the bonds herein authorized, nor shall the board be required to obtain the approval of any public agency to any action taken pursuant to the authorizations of this act.

SECTION 15. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1965.

(R617, S412) **No. 658**

An Act To Authorize Kershaw County To Issue Not Exceeding Seven Hundred Fifty Thousand Dollars Of General Obligation Bonds For The Construction Of A New County Courthouse.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Kershaw County may issue bonds.—The County Board of Commissioners of Kershaw County is authorized to issue not exceeding seven hundred fifty thousand dollars of general obligation bonds of the county for the purpose of constructing and equipping a new county courthouse. The bonds shall be issued either as a single issue or from time to time as several separate issues not to exceed seven hundred fifty thousand dollars.

SECTION 1-A. Maturity.—All bonds issued pursuant to this act shall mature in such annual series or installments as the county board shall provide for except that the first maturing bonds of any issue shall mature not later than two years from the dates as of which they shall be issued; and no bond shall mature later than twenty years from the date as of which it shall be issued.

SECTION 2. Redemption.—Any bond issued pursuant to this act may be issued with a provision permitting its redemption prior to its stated maturity at par and accrued interest, plus such redemption premium as may be prescribed by the county board, but no bond shall be redeemable prior to its stated maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of such bonds, provision shall be made specifying the manner of call and the notice thereof that must be given as to bonds made redeemable prior to their stated maturities.

SECTION 3. Form.—The bonds issued pursuant to this act shall be in the form of negotiable coupon bonds, payable to bearer, but may

be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Kershaw County, upon such conditions as the county board may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

SECTION 4. Denominations—where payable.—The bonds issued pursuant to this act shall be in such denominations and shall be made payable at such places, within or without the State, as the county board shall provide.

SECTION 5. Interest.—Bonds issued pursuant to this act shall bear interest at rates determined by the county board.

SECTION 6. Execution.—The bonds and the coupons to be thereunto attached shall be executed in such manner as the county board shall by resolution prescribe.

SECTION 7. Sale.—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective maturities. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. Such published notice shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 8. Payment.—For the payment of the principal and interest of all bonds issued pursuant to this act, as the same respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of Kershaw County shall be irrevocably pledged, and there shall be levied annually by the Auditor of Kershaw County and collected by the Treasurer of Kershaw County, in the same manner as county taxes are levied and collected, a tax without limit on all taxable property in Kershaw County, sufficient to pay the principal and interest of such bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

SECTION 9. Exempt from taxes.—The principal and interest of bonds issued pursuant to this act shall have the tax exempt status prescribed by Section 65-4.1, Code of Laws of South Carolina, 1962.

SECTION 10. Proceeds.—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer

of Kershaw County, to be deposited in a bond account fund, and shall be expended and made use of as follows:

(a) Any accrued interest shall be applied to the payment of the first instalment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first instalment of principal of such bonds.

(c) The remaining proceeds shall be expended, upon the warrant of the county board, for the following purposes:

(1) To defray the costs of issuing the bonds authorized by this act; and

(2) To pay costs incurred in constructing and equipping a new courthouse for Kershaw County.

SECTION 11. Powers to be additional.—The powers and authorizations hereby conferred upon the county board shall be in addition to all other powers and authorizations previously vested in the county board and may be availed of pursuant to action taken at any regular or special meeting of the county board.

SECTION 12. No further action required.—No action other than that prescribed in this act need be taken to effect the issuance of the bonds herein authorized, nor shall the county board be required to obtain the approval of any public agency to any action taken pursuant to the authorizations of this act.

SECTION 13. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R720, H1415)

No. 659

An Act To Make Appropriations For The Operating Expenses Of Kershaw County For The Fiscal Year 1965-1966, And To Provide For The Expenditure Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. A tax sufficient to meet the appropriations in this act to be raised by a levy upon all the taxable property of Kershaw County is hereby levied on such property for ordinary purposes for the fiscal year beginning July 1, 1965, and ending June 30, 1966, and

shall be expended as herein provided, the amount of such levy to be determined by the auditor and treasurer of the county upon the approval of a majority of the legislative delegation. The funds accruing to the county from the State on account of any other taxes paid over by the State, or any department of the State government for general county purposes, are likewise appropriated along with the funds received from such levy.

SECTION 2. The county auditor and treasurer are also directed to levy a tax sufficient to raise an amount sufficient to retire the principal and interest due on the county hospital bonds, together with an amount not to exceed the proceeds of a six mill levy to be utilized to defray the general operating expenses of the Kershaw County Memorial Hospital, including cost of charity care, such levy to be approved by the delegation.

SECTION 3.

Item 1.	Administrative Department:	
	A. Auditor's Office:	
(1)	Salary of Auditor (County's Portion)	$ 3,005.17
(2)	Deputy Auditor	3,307.50
(3)	Clerk to Auditor	3,131.10
(4)	Extra help for Auditor	1,500.00
	Provided, that each extra helper shall receive fifteen dollars per day while working, plus seven cents per mile travel while engaged in work.	
	Travel for Auditor, if so much be needed	20.00
	Total	10,963.77
	B. Treasurer's Office:	
(1)	Salary of Treasurer (County's portion)	3,005.17
(2)	Deputy Treasurer	3,307.50
(3)	Travel for Treasurer	50.00
	Total	6,362.67
	C. Tax Collector's Office:	
(1)	Salary, Tax Collector	4,654.10
(2)	Travel, Tax Collector	1,200.00
(3)	Clerk to Tax Collector	3,131.10
	Total	8,985.20

D. Board of Directors' Office:		
(1) Clerk to Board of Directors		6,945.75
(2) Assistant to Clerk		4,189.50
Total		11,135.25
Total, Item 1	$	37,446.89
Item 2. Judicial Department:		
A. Clerk of Court:		
(1) Salary (Clerk to Circuit Court and Register of Mesne Conveyance)	$	7,166.25
(2) Deputy Clerk of Court		3,307.50
(3) Salary (two additional clerks, $3,131.10 each)		6,262.20
Total		16,735.95
B. Master:		
(1) Salary of Master		2,400.00
Salary of Master as Judge of Juvenile-Domestic Relations and Special Court		6,100.00
(2) Secretary to Master and Judge, Salary		3,307.50
(3) Additional Secretarial Assistance for Master		1,200.00
(4) Office Rent		600.00
(5) Miscellaneous		500.00
Total		14,107.50
C. Court of General Sessions and Common Pleas:		
(1) Jurors, witnesses, bailiffs and court crier		10,000.00
Provided, bailiffs, jurors, clerk for probation officer and court crier shall be paid eight dollars per day for each day actually engaged in duties.		
(2) Supplement to Fifth Circuit Court Reporter		700.00
(3) Supplement to Assistant Court Reporter		400.00
(4) Assistant Solicitor		1,200.00
(5) Investigator for Solicitor		600.00
(6) Kershaw County Probation Officer, Salary supplement		400.00
Provided, that the Probation Officer shall be available to assist the Judge of the Juvenile-		

Domestic Relations and Special Court as may be required by the Judge thereof.	
Total	13,300.00
D. Probate Judge:	
(1) Salary, Probate Judge	7,166.25
(2) Salary, Deputy Probate Judge	3,307.50
(3) Clerk to Probate Judge	2,866.50
Total	13,340.25
E. Magistrates:	
(1) Salaries:	
Magistrate for DeKalb Township	4,740.75
Magistrate for Town of Kershaw	2,205.00
Magistrate for Flat Rock Township	1,077.30
Magistrate for Buffalo Township	1,675.80
Magistrate for West Wateree Township	2,337.30
Provided, that the Magistrate for DeKalb Township shall keep same office hours as other courthouse officials.	
Provided, that all Magistrates may draw up to ten dollars a month each for office rent when office is not provided in a county building	480.00
Total	12,516.15
F. County Attorney:	
(1) Salary	600.00
Provided, however, the County Attorney's salary shall be in lieu of all fees, except those approved by a majority of the legislative delegation.	
Provided, further, the County Attorney shall be elected by a majority of the legislative delegation for a period of one year.	
Total	600.00
G. Office of Coroner:	
(1) Salary	1,675.80
(2) Inquest stenographer, if so much be needed	100.00

Provided, the stenographer shall be paid at the rate of $5.00 per inquest.

Total	1,775.80
Total, Item 2	$ 72,375.65

Item 3. Law Enforcement:

A. Sheriff's Office:	
(1) Salary of Sheriff	$ 7,166.25
(2) Salary of Chief Deputy Sheriff	4,983.30
(3) Clothing allowance for Deputy Sheriff	175.00
Total	12,324.55
B. Sheriff's Deputies:	
(1) Salaries, Eleven Deputy Sheriffs	43,659.00
(2) Uniforms, Deputy Sheriffs	1,800.00
(3) Ammunition and Supplies	100.00
(4) Deputy Sheriffs' automotive expense	15,000.00
(5) Purchase of Four Police Cars	8,500.00
Provided, that this sum shall be reduced by the amount received from the sale of used police cars.	
(6) Additional Expense for Sheriff's Deputies, to be expended upon approval of Sheriff	3,600.00
(7) Clerical help—DeKalb Magistrate and Sheriff's Office	2,866.50
Total	75,525.50
C. Jail Expense:	
(1) Operation of Jail, if so much be needed	3,000.00
(2) Jailor	2,337.30
Total	5,337.30
Total, Item 3	$ 93,187.35

Provided, that all expenditures authorized herein shall be subject to the approval of the County Board of Directors and shall be in accordance with such accounting systems, procedures, rules and regulations, as they may specify.

Item 4.	Public Works:	
	A. Board of Directors:	
(1)	Four Directors—salaries and expense	$ 8,400.00
(2)	Superintendent of Maintenance	5,777.10
(3)	Five Patrol Operators	21,498.75
(4)	One loader & dozer operator	4,299.75
(5)	Two Guards	8,599.50
(6)	One yard man & clerk	4,299.75
(7)	One mechanic	4,917.15
(8)	One chief truck driver	3,291.75
(9)	One truck driver	2,976.75
(10)	One night watchman	2,976.75
	Provided, the balance of the one cent gasoline tax refunded Kershaw County shall be expended upon the approval of the board of directors, if so much be needed, for the operation and maintenance of the Kershaw County Chain Gang and for supplies and equipment.	
	Total	$ 67,037.25
	B. Janitors:	
(1)	Salary of Janitors at Courthouse and Agriculture Building	3,836.70
	Total	3,836.70
	C. Miscellaneous:	
(1)	Telephone (all offices)	3,000.00
(2)	Printing, postage, stationery and supplies, if so much be needed	7,500.00
(3)	Public Building Maintenance, lights and water	10,000.00
(4)	Equipment Account	2,000.00
	Total	22,500.00
	D. Insurance:	
(1)	On prisoners	500.00
(2)	Bond premiums	1,000.00
(3)	Workmen's Compensation premiums	2,500.00
(4)	Insurance, County Motor Vehicles	1,471.87
	Provided, that the above monies shall be spent only on approval of the County Board of Directors.	

(5)	Retirement and Social Security Payments for County Employees	30,000.00
	Total	35,471.87
	Total, Item 4	$128,845.82
Item 5.	Health Department	$ 31,751.00
	Provided, the above amount shall be expended in accordance with the budget submitted by the County Health Officer, as approved by the Kershaw County Legislative Delegation. *Provided,* further, all amounts expended for salaries and actual travel shall be paid by claims submitted by the Health Officer.	
	Total	31,751.00
	Total, Item 5	$ 31,751.00
Item 6.	For participation in Sumter-Clarendon-Kershaw County Mental Health Program	$ 7,000.00
	Total	7,000.00
	Total, Item 6	$ 7,000.00
Item 7.	Military:	
A.	Service Officer (Salary)	$ 4,959.45
(1)	Office Rent	420.00
(2)	Office Expense, Telephone and out-of-town travel	960.00
	Total	6,339.45
B.	Kershaw Guards	850.00
	Provided, that the above sum shall be expended for upkeep, maintenance and repair on the Kershaw County Armory; and *provided,* further, that the Armory shall be made available to the Camden Hospital Auxiliary and Junior Welfare	

	League for functions at a rental not to exceed $25.00 per night.	
	Total	850.00
	Total, Item 7	$ 7,189.45
Item 8.	Farm Aid:	
	A. Salary Subsistence:	
	(1) Farm Agent	$ 720.00
	(2) Assistant Agent	520.00
	(3) Home Agent	720.00
	(4) Assistant Home Agent	520.00
	(5) Clerk	720.00
	Total	3,200.00
	B. Assistance for Colored Farmers:	
	(1) Farm Agent (Salary)	720.00
	(2) Home Agent (Salary)	1,170.00
	(3) Clerk	2,100.00
	(4) Home Agent (Travel)	600.00
	Total	4,590.00
	C. Miscellaneous Farm Aid:	
	(1) 4-H Club Work (White)	100.00
	(2) 4-H Club Work (Colored)	100.00
	(3) Kershaw County Chapter of Future Homemakers of America	100.00
	(4) Council of Farm Women	250.00
	(5) Demonstration Material for Home Agent (White)	50.00
	Total	600.00
	D. Supplement to salary of four County Fire Wardens	2,400.00
	Total	2,400.00
	Total, Item 8	$ 10,790.00

Item 9. Welfare:		
A. County Welfare Board, to be kept at the rate of ten dollars per meeting attended	$	360.00
Travel for workers		700.00
Total		1,060.00
B. Camden and Kershaw County Children's Home *Provided,* above shall be spent at a rate of $1.50 per day for child care of indigent children of Kershaw County, and the above sums shall be paid semiannually upon certification by the president and secretary of the Margaret C. Mayfield Home that care and maintenance were actually rendered for the number of days for which claim is made.		3,000.00
Total		3,000.00
C. County Poor *Provided,* that this amount shall be spent by the Welfare Department, subject to the advice of the County Board of Directors.		4,500.00
Total		4,500.00
Total, Item 9	$	8,560.00
Item 10. Tax Assessor's Office:		
(1) Tax Assessor's Salary	$	6,300.00
(2) Clerk to Tax Assessor		2,866.50
(3) Travel for Tax Assessor		900.00
(4) Field men for Tax Assessor (Salary)		13,520.00
(5) Travel for field men		1,560.00
(6) Maps and other expenses		2,400.00
Total		27,546.50
B. Extra help to Tax Assessor:		
(1) Salary, extra clerk	$	1,365.00
(2) Extra field men, salary		6,760.00

(3)	Travel for extra field men	780.00
	Total	8,905.00
	Total, Item 10	$ 36,451.50

Item 11. Libraries:

A.	County Library:	
(1)	Acting Head Librarian, Salary	$ 3,087.00
(2)	Assistant Librarian, Salary	2,535.75
(3)	Clerical Assistant, Salary	2,425.50
(4)	Operation of Bookmobile, gas, oil, tires and repair	350.00
(5)	Books and Binding and Mending	2,500.00
(6)	Office Supplies	150.00
(7)	Insurance	195.00
(8)	Travel	25.00
	Total	11,268.25
B.	DeKalb Negro Branch:	
(1)	Salary for Librarian	$ 2,690.10
(2)	Books and Supplies	1,500.00
	Total	4,190.10
C.	Bethune Library	600.00
D.	Kershaw Memorial Library	300.00
	Total	900.00
	Total, Item 11	$ 16,358.35

Item 12. Miscellaneous:

A.	Contingent Fund To be spent only if approved by a majority of the County Legislative Delegation.	$ 5,000.00
	Total	5,000.00
B.	For merit raises to county clerical employees as provided in Section 7, if so much be needed	18,020.00
	Total	18,020.00

C. Audit	1,500.00
Total	1,500.00
D. Secretary to Delegation	600.00
Total	600.00
E. Chamber of Commerce	2,000.00
Total	2,000.00
F. County Rescue Squad	500.00
Bethune Rescue Squad	500.00
Total	1,000.00
G. Recreation Commission, City of Camden	5,000.00
Total	5,000.00
H. Sumter, Kershaw, Clarendon and Lee County Technical Education Center	4,000.00
Total	4,000.00
I. Camden Civil Air Patrol	500.00
Total	500.00
Total, Item 12	$ 37,620.00
Item 13. Park and Recreation Commission:	
A. Kershaw County Park (White):	
(1) Life Guards	$ 1,340.00
(2) Labor	2,800.00
(3) Materials, Equipment	1,000.00
(4) Gas, Oil, Repairs, Tires	800.00
(5) Lights	400.00
(6) Telephone	230.00
(7) Insurance, Misc.	150.00
(8) Superintendent Salary	5,040.00
Total	11,760.00
B. Pickett-Thomas Memorial Park (Colored):	
(1) Caretaker Salary	1,200.00
(2) Supervisor and Clerk	432.60

(3) Lifeguards	1,815.00
(4) Labor	2,400.00
(5) Material and Equipment	1,000.00
(6) Lights	180.00
(7) Telephone	156.00
(8) Insurance	40.00
Total	7,223.60
Total, Item 13	$ 18,983.60

Provided, that the Kershaw County Parks are for the use of Kershaw County citizens only and the use by any person other than a citizen and resident of Kershaw County shall be in the discretion and upon such terms as the respective Park Boards shall prescribe.

Plus unitemized one-cent gasoline tax	$ 62,962.75
GRAND TOTAL	$569,522.36

Estimated Revenues and Available Credits:

Magistrates' Fines	$ 61,000.00
County Officers' fees	22,000.00
Beer and Wine Tax	10,000.00
Liquor Tax	35,000.00
Gas Tax	130,000.00
Insurance Fees	25,000.00
Tax Collector	7,000.00
Bank Tax	4,500.00
Income Tax	50,000.00
County Service Officer	4,959.45
Total Estimated Revenues and Available Credits	$349,459.45
Total amount to be raised by taxation	$220,062.91

SECTION 4. The sheriff and any other police officer shall receive in addition to their regular salaries, actual expenses excluding mileage, when called beyond the limits of the county on official business such as searching for fugitives, conveying prisoners to the State Reformatory, to the State Penitentiary, etc. The sheriff shall also

receive fifty cents per meal for dieting each prisoner for each meal consumed while the prisoner is detained in the county jail or otherwise in his custody. *Provided,* however, that the above expenses shall be paid only when a notarized statement is filed with and approved by the County Board of Directors.

SECTION 5. The Magistrates of Kershaw County are hereby required to enter all cases brought before them on their docket and to show on such dockets what disposition is made of each case, and shall enter on such dockets all costs which may be assessed against the parties of such case, and shall collect the same and shall pay over to the county treasurer monthly all fines and costs in criminal cases which may have been collected by them and shall submit their dockets to the board of county directors monthly for audit. *Provided,* however, that no magistrate in Kershaw County shall be paid his monthly salary until the above section has been complied with on or before the tenth day of each month.

SECTION 6. The appropriations herein made for salaries of the various county officers and other county employees shall be paid to such officers and employees in semimonthly installments upon individual claims to be submitted to the county board of directors. The clerk of such board is hereby authorized to issue checks in payment of all claims for which a specific appropriation is made. *Provided,* however, that all salaries appropriated are in lieu of all fees. *Provided,* further, that all lump sum appropriations shall be payable after December 15, 1964.

SECTION 7. Clerical employees, other than elected officials who have had at least fifteen years or more of satisfactory service in the employ of the county shall receive a supplement of fifty dollars per month. *Provided,* that any such employees with more than ten years of satisfactory service shall receive a supplement of forty dollars per month. *Provided,* further, that any such employees with more than five years of satisfactory service shall receive a supplement of thirty dollars per month. *Provided,* further, that any such employees with more than one year of satisfactory service shall receive a supplement of twenty dollars per month. *Provided,* further, that the director, an employee of the Kershaw County Welfare Department, and Sheriff's Deputies, and Farm and Home Agents and their employees shall be included in this section.

SECTION 8. The County Board of Directors are authorized in their discretion to enter into a contract to provide group life and group medical care insurance for county employees, and their dependents, with any reputable insurance company authorized to do business in South Carolina.

SECTION 9. It shall be unlawful for any county official or employee to use any automobile, truck, tractor, gasoline or oil, or other property belonging to the county, except for county purposes. The county board of education is hereby authorized and directed to furnish school bus transportation for all activities of the 4-H Boys and Girls, Vocational and Agricultural Boys, Home Economics Girls and Junior Homemakers of America in attending inter and intra county meetings pertaining to their respective endeavors. It shall further be unlawful for any county official to authorize, permit or cause to be permitted any work of a private nature by county employees, county equipment or convict labor. The chairman of the County Board of Directors shall be responsible for the enforcement of this provision and any violation thereof shall cause the person responsible to forfeit double the reasonable value of the work or labor expended, said amount to be deducted by the chairman of the County Board from any salary or other money due the said county official or employee. Any person knowingly receiving or accepting any work by county forces with or without convict labor shall be liable for damages in the amount of three times the value of the labor or services received, said amount to be recovered in any court of competent jurisdiction together with reasonable attorney fees.

SECTION 10. If circumstances arise, which, in the judgment of a majority of the Kershaw County Legislative Delegation, require the expenditure of a greater amount than herein provided for any purposes, or should, in the judgment of a majority of the delegation, the affairs of Kershaw County increase the expenditure of funds for purposes not mentioned in this act and above enumerated, the delegation or a majority thereof shall have and are hereby given the right, by resolution, to increase the amount appropriated in any item and may also appropriate funds for purposes not mentioned or referred to in this act, which resolution or resolutions shall be filed with the Clerk of the County Board of Directors for expending the funds thus appropriated; and the county board of directors may borrow, if necessary, such amounts as may be required to make such increase or

additional appropriations and may pledge the full faith and credit of Kershaw County for the payment of the amount so borrowed.

SECTION 11. All purchases of all county departments shall be made by the County Board of Directors and all expenditures are to be approved by the Board. The Board may require such systems of vouchers and accounting as they may see fit.

SECTION 12. The Kershaw County Board of Education is authorized and directed to prepare a budget for the operation of the Kershaw County schools for the fiscal year beginning July 1, 1965 and ending June 30, 1966, which budget shall be effective when approved by a majority of the Kershaw County Delegation. The budget shall include a salary for the Superintendent of Education; *provided,* that the budget shall include an incentive pay schedule as recommended by the Kershaw County Education Association and approved by the county board of education and the legislative delegation; and *provided,* further, that the budget shall include a sum to pay expenses and per diem of the Kershaw County Board of Education and a sum to supplement the administrative personnel of the superintendent of education's office including the attendance teacher and the school lunchroom supervisor. *Provided,* further, that the county board of education is hereby authorized and directed on or before the commencement of the 1965-1966 school term to establish by natural boundaries, as nearly as feasible, the school attendance areas of each school of Kershaw County. Each child of the county shall attend the school attendance area in which he or his parent or guardian resides, except by the permission of the trustees of the attendance area in which he resides and the permission of the trustees of the area in which he seeks admission; *provided,* further, that any child which attended a school in a school attendance area other than that in which he resided during the school years 1962-63 and 1963-1964 may continue to attend such school if he or his parent or guardian so desires. *Provided,* that the County Board of Education may in its discretion approve a plan or plans whereby teachers may on a voluntary basis have a portion of their salaries withheld for the purpose of paying the premium on an annuity contract or contracts.

SECTION 13. All materials, supplies or equipment shall be purchased for all departments of the county by the county board of directors after having advertised for and received bids for the same. Such materials, supplies and equipment shall be requisitioned by

each department in writing at least thirty days in advance of their requirements. No voucher for the payment of any purchase in excess of five hundred dollars shall be honored by the county treasurer unless the clerk of the board of directors shall certify in writing that the purchase was made after having received public bids for such commodity unless the transaction is approved by the unanimous vote of the Kershaw County Board of Directors. *Provided,* that the county board may authorize the clerk to prepare and sign vouchers for any appropriations made hereunder, which vouchers shall be honored by the treasurer.

SECTION 14. The Board of Trustees of the Kershaw County Memorial Hospital shall have the right to formulate a retirement plan for employees of the Kershaw County Memorial Hospital and to withhold on a voluntary basis a portion of the salaries of hospital employees for the purpose of participation in the retirement plan or for the payment of premiums on an annuity contract for such employees.

SECTION 15. Members of all boards and commissions of Kershaw County shall receive seven cents per mile for travel in attendance of all meetings.

SECTION 16. All prior actions or disbursements taken or made, as a result of any resolution or action by the Legislative Delegation from Kershaw County, are hereby validated, ratified, confirmed and declared to be legal and binding.

SECTION 17. This act shall take effect upon approval by the Governor.

Approved the 19th day of June, 1965.

(R717, H1897) **No. 660**

An Act To Authorize The Lancaster County Board Of Education To Issue Not Exceeding One Million Seven Hundred Thousand Dollars Of General Obligation Bonds Of The School District Of Lancaster County, To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which Their Proceeds May Be Expended, And To Make Provision For The Payment Of Such Bonds.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that the School District of Lancaster County (The School District) has a need for further school facilities in order to accommodate pupils attending the public school system in the school district. It has therefore determined to authorize the Lancaster County Board of Education (the board) to effect the acquisition of further school facilities through the constructing and equipping of buildings and the renovation and improvement of existing buildings to the extent of one million seven hundred thousand dollars or such lesser sum as may, upon the occasions of the issuance of bonds, be determined to be within the constitutional limitation applicable to the school district.

SECTION 2. Lancaster County may acquire additional school facilities.—The Lancaster County Board of Education is empowered to acquire such further school facilities as may be procured through the issuance and sale of the bonds authorized hereby and through such other funds made available to the board, and to that end, shall be empowered to construct and equip new school buildings, to improve, enlarge and re-equip existing school buildings, and to acquire such land as may be needed therefor.

SECTION 3. Bond issue authorized.—In order to obtain funds for the purposes above set forth, the board is hereby authorized and empowered to issue not exceeding one million seven hundred thousand dollars of general obligation bonds of The School District of Lancaster County. The proceeds derived from the sale of such bonds shall be disposed of as follows:

(a) Any accrued interest shall be applied to the payment of the first installment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first installment of principal of such bonds.

(c) The remaining proceeds shall be used upon warrants of the board to defray the cost of issuing the bonds authorized hereby, and to acquire further school facilities as provided herein.

(d) If any balance remain, the same shall be held by the Treasurer of Lancaster County in a special fund and used to effect the retirement of bonds authorized hereby.

SECTION 4. Issues—maturity—redemption—interest—dates.—The bonds may be issued as a single issue, or from time to time

as several separate issues in the discretion of the board; *provided,* that no bonds shall be issued later than three years after the effective date of this act. All bonds shall mature serially in successive annual installments of such amounts as may be determined by the board, except that the maturity date of the last installment of any bonds issued hereunder shall fall due not later than twenty-five years from the date such bonds bear. Any bond issued pursuant to this act may, at the discretion of the board, contain a provision permitting its redemption prior to its stated maturity at such redemption premium as the board shall prescribe. The bonds shall be of such denomination, shall bear such rate of interest as the board may determine, payable on such occasions as the board shall determine. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Lancaster County, and the principal thus made payable to the registered holder (unless the last registered transfer shall have been to bearer), upon such conditions as the board may prescribe. They shall bear such date and be payable at such places as the board may likewise prescribe.

SECTION 5. Execution.—The bonds and the interest coupons thereto attached shall be executed in such manner as the board shall prescribe.

SECTION 6. Sale.—The bonds shall be sold by the board at not less than par and accrued interest to the date of their respective deliveries at public sale, and at least ten days prior to any sale, notice, announcing the intention to receive bids for the sale of any bonds authorized by this act, shall be published in a newspaper of general circulation in the State of South Carolina.

SECTION 7. Exempt from taxes.—The bonds and all interest to become due thereon shall have the tax exempt status as prescribed by Section 65-4.1 of the 1962 Code.

SECTION 8. Payment.—For the payment of the principal and interest of all bonds issued pursuant to this act as the same respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of The School District of Lancaster County shall be irrevocably pledged, and there shall be levied annually by the Auditor of Lancaster County, and collected by the Treasurer of Lancaster County, in the same manner as county

taxes are levied and collected, a tax without limit, on all taxable property in the school district, sufficient to pay the principal and interest of such bonds as they respectively mature and to create such sinking fund as may be necessary therefor; *provided,* that, until changed by subsequent enactment, the ad valorem tax levy shall be reduced to the extent that there is on deposit with the Treasurer of Lancaster County, on the occasion in each year when the ad valorem tax levy is to be made, moneys derived from contributions or grants from the State of South Carolina to The School District of Lancaster County for capital improvements for school facilities which can be used for the payment of such principal and interest, and in all instances where an annual tax levy is so reduced, the moneys derived from such contributions and grants shall be applied to the payment of such principal and interest and to no other purpose.

SECTION 9. When action may be taken.—Any action required of the board may be taken at any meeting of the board, regular or special, and at such meeting a majority of the members of the board shall constitute a quorum for the purpose of adopting a resolution making provision for the issuance of bonds pursuant to this act, awarding the sale of such bonds, or taking any other action permitted or required of the board by the provisions of this act.

SECTION 10. Proceeds.—The proceeds derived from the issuance of the bonds shall be expended for construction, improvement or equipping the following projects:

(1) Two junior high schools in Lancaster;

(2) An elementary school at Heath Springs;

(3) A high school at Kershaw; and

(4) Additions to schools at Indianland, Buford, Northside School at Kershaw and Flat Creek.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of June, 1965.

(R733, H1896)

No. 661

An Act To Provide For The Levy Of Taxes For Ordinary County And Road Purposes For The Fiscal Year July 1, 1965, To July 1, 1966, And To Provide For The Expenditure Thereof In The County Of Lancaster; And To Provide Further For The Fiscal Affairs Of The County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. A sufficient tax, not to exceed seventy mills, less the estimated revenue to be received by Lancaster County, in 1965, to pay the appropriations hereafter made, the amount of such millage to be determined by the county auditor, after consulting with the members of the Lancaster County Legislative Delegation, is hereby levied upon all the taxable property of Lancaster County for county purposes for the fiscal year beginning July 1, 1965, and ending June 30, 1966.

SECTION 2. The fee for witnesses in the Court of General Sessions shall be three dollars per day and mileage, as now provided by law.

SECTION 3. The fee for bailiffs, grand and petit jurors and court criers in the Court of General Sessions and Court of Common Pleas shall be eight dollars per day and mileage, as now provided by law.

SECTION 4. Public works $150,000.00

150,000.00

The Board of Directors is hereby authorized and directed to pay the Supervisor an annual salary of $6,000.00 per year.

The above appropriation shall be expended for the maintenance of county chain gang, road construction, road maintenance, road equipment, repairs to equipment, materials and supplies for road construction and maintenance, chain gang supplies, and salaries of all personnel employed by the Board of Directors or the Road Supervisor, including the salary of the Road Supervisor. The services of the Supervisor cannot be terminated without the approval of a majority of the legislative delegation, including the Senator. The board shall also employ a janitor for the county courthouse and office building at such salary as the board may direct, same to be paid from the general county fund. The board shall furnish all necessary supplies

needed for janitorial service. The appropriation in this section shall be expended upon warrants approved by the county board of directors. All personnel employed for road construction, road maintenance and chain gang employees shall be employed by the County Road Supervisor and shall receive such salaries as the board of directors shall provide. The above sum in Section 4 of this act for salaries and road maintenance includes the amount to be received from the one cent gasoline tax. The County Board of Directors of Lancaster County is not forbidden to expend in any one quarter of the year for road and bridge purposes a sum in excess of one-fourth of the total amount appropriated in this appropriations act, as prohibited in Section 33-1761, Code of Laws of South Carolina, 1962. The county board of directors is hereby authorized and directed to use whatever money it may receive by reason of the rental or sale of any equipment or commodities produced by it for county or ordinary purposes, as now provided by law; *provided,* however, that such sum shall not be deducted from the appropriations made in this appropriations act. In addition to the appropriation provided in this section, any and all monies received by the county board of directors from the South Carolina State Highway Department by reason of construction contracts entered into between Lancaster County and the State Highway Department shall be expended by the board of directors for any of the purposes set out above. Of the amount appropriated, $2,800.00 shall be used for Christmas bonuses.

Law Enforcement

Salaries:

Sheriff	$ 5,040.00
Expenses of Sheriff	1,800.00
4 Deputy Sheriffs @ $310.00 per month	14,880.00
Expenses, 4 Deputy Sheriffs, $900.00 each	3,600.00
2 Lieutenants @ $325.00 per month	7,800.00
Expenses for 2 Lieutenants @ $75.00 per month to cover telephone, meals out of town, laundry, etc., in performance of duty	1,800.00
2 Deputy Sheriffs @ $294.00 per month	7,056.00
Expenses for 2 Deputy Sheriffs @ $75.00 per month	1,800.00
Radio operator and part-time deputy	2,898.00
Expenses, radio operator and part-time deputy	900.00

Special Deputy Sheriffs	648.00
Special Deputy Sheriffs, extra occasions	200.00
1 new deputy—seven months	2,170.00
Expenses, 1 new deputy	525.00
1 new deputy—seven months	2,030.00
Expenses, 1 new deputy	525.00
Clerk (1), to be paid directly to the clerk employed	3,150.00
Expenses, Clerk	420.00
Jailor	1,386.00
Total	$ 58,628.00

Expenses:

Operating jail, including per diem for feeding and maintenance, or so much as may be necessary	$ 9,000.00
Maintenance and new equipment Sheriff's automobiles and radios, or so much as may be necessary	10,000.00
Record books, forms and postage, or so much as may be necessary	300.00
Uniforms for Sheriff's officers, if so much be necessary	3,000.00
Supplies and returning of prisoners	500.00
Trading of automobiles and purchase of one new automobile, including radios, etc.	5,750.00
Total	$ 28,550.00

Magistrates:

Gills Creek Township	$ 2,200.00
Hire of clerk	3,000.00
Constable, Gills Creek Township	2,100.00
Kershaw	780.00
Constable, Kershaw	610.00
Buford Township	600.00
Constable, Buford Township	450.00
Cedar Creek Township	600.00
Constable, Cedar Creek Township	450.00
Cane Creek Township	1,200.00
Constable, Cane Creek Township	700.00

Indianland Township	600.00
Constable, Indianland Township	510.00
Pleasant Hill Township	500.00
Constable, Pleasant Hill Township	450.00
Flat Creek Township	500.00
Constable, Flat Creek Township	450.00
Waxhaw Township	600.00
Constable, Waxhaw Township	450.00
Total	$ 16,750.00

County Director's Office

Salaries:

Chairman of Board	$ 1,200.00
Directors (6) @ $1,080.00 each	6,480.00
Secretary	4,000.00
Travel expense for 7 directors of the board to be paid at the rate of $150.00 per year each	1,050.00
Travel expenses for the chairman of the board for a year	600.00
Clerk to board, to be paid directly to clerk employed	1,080.00
Expenses of Clerk	300.00
Special secretary to Tax Collector, Auditor, Treasurer and County Board of Directors	3,150.00
Total	$ 17,860.00

Auditor's Office

Salary in addition to the portion paid by the State under the General Appropriations Act and expenses for County Auditor	$ 2,600.00
Travel and expenses for Auditor	1,800.00
Clerk to County Auditor, to be paid directly to the clerk employed	3,150.00
Equalization Board	1,300.00
Supplies and new equipment	75.00
Additional part-time help	1,575.00
Total	$ 10,500.00

County Treasurer's Office

Salary in addition to the amount to be paid by the State under the General Appropriations

Act and expenses for County Treasurer		2,300.00
Clerk to Treasurer, to be paid directly to clerk employed		3,150.00
To compensate for extra work and mailing out tax notices		1,200.00
Supplies		1,250.00
Total	$	7,900.00
Clerk to Court's Office		
Salary	$	600.00
Salary to secretary for Clerk of Court		3,150.00
Postage, record books, office supplies and printing, or so much as be necessary		3,000.00
Total	$	6,750.00
Probate Judge		
Clerk to Probate Judge, to be paid directly to clerk employed	$	3,150.00
Postage, record books, printing and office supplies, or so much as may be necessary		1,000.00
For Lunacy Proceedings, if so much be necessary		500.00
Doctors' Fees for Lunacy Proceedings, if so much be necessary, at $10.00 per examination		500.00
Total	$	5,150.00
County Attorney		
Salary	$	1,320.00
Total	$	1,320.00
County Coroner		
Salary—Coroner	$	1,300.00
Stenographer, when necessary, not to exceed $10.00 per inquest		100.00
Printing and Official Blanks		25.00
Travel Expense for coroner, not exceed $400.00		400.00
Total	$	1,825.00
Farm and County Agent's Departments		
County Agent	$	1,200.00
Assistant County Agent		587.00

Home Demonstration Agent	650.00
Negro Agriculture Agent	476.00
Home Demonstration Supplies	50.00
Demonstration Supplies, County Agent	50.00
Stamps and Incidentals, County Agent	50.00
Stenographer, County Agent	800.00
Boys' and Girls' Club Work	100.00
Colored Home Demonstration Agent, Supplies	50.00
Colored Agriculture Agent, Demonstration Supplies	50.00
Salary, Colored Home Demonstration Agent	797.00
Clerical Help, Negro Home and Agriculture Agents	1,800.00
Colored 4-H Club Work, Boys and Girls	100.00
Office Rent	120.00
Total	$ 6,880.00
Quail Project	$ 660.00
(To be expended upon the approval of the legislative delegation, including the Senator.)	
Total	$ 660.00

Forestry Rangers

Expenses and supplemental salaries	$ 2,100.00
Total	$ 2,100.00

County Nursing Home—support of inmates and medical supplies, hospitalization and miscellaneous expenses (if so much be necessary) $ 2,000.00

Total	$ 2,000.00

Health Centers

Part salary for one P. H. Nurse I	$ 2,845.00
Travel for Sanitarian I @ $90.00 per month	1,080.00
Travel for four P. H. Nurses I @ $90.00 per month	4,320.00
Travel for County Health Officer II	820.00
Janitor Service	1,200.00
Drugs and supplies (Lancaster)	795.00
Drugs and supplies (Kershaw)	180.00

Lights, fuel, water, repairs	1,500.00
To Balance Salaries	300.00
To supplement salaries, equipment and repairs	4,400.00
Total	$ 17,440.00
Vital Statistics and Post Mortems	$ 300.00
Total	$ 300.00
Court Expenses	
Jurors, Witnesses, Bailiff	$ 10,000.00
Stenographer, Parole Office	300.00
Total	$ 10,300.00
Service Officer	
Salary and expenses of Service Officer	$ 4,337.00
Travel, Service Officer	1,200.00
Salary, Clerk to Service Officer	3,150.00
Total	$ 8,687.00
Department of Public Welfare	
Child Welfare and emergency assistance	$ 2,000.00
Expenses, 3 clerks @ $180.00	540.00
Expenses, 5 case workers @ $30.00 per month	1,800.00
Expenses, 1 case worker (Juvenile Court)	600.00
Expenses, director	600.00
3 Directors @ $12.50 per month	450.00
Expenses, Janitor	120.00
Salary Adjustment	3,795.00
Total	$ 9,905.00
Juvenile Court	
Judge—Salary	$ 5,200.00
Secretarial help	3,000.00
Probation Officer	5,200.00
Travel (Probation Officer)	600.00
Rent, Postage and supplies	500.00
Clerk	3,000.00
Total	$ 17,500.00

Provided, all fees collected by the Juvenile Court shall be submitted to the county treasurer quarterly.

Miscellaneous

Lancaster County Rescue Squad	$ 500.00
Rural Fire Fighting Units	15,000.00
Workmen's Compensation, Rural Firemen	1,300.00
Liability Insurance—Sheriff's Cars and county trucks and cars	2,200.00
Insurance on Public Buildings	2,000.00
Workmen's Compensation Insurance	2,900.00
Premium on Blanket Employees' Bond and Bonds of County Officials	1,000.00
Boiler Insurance Premiums	800.00
Telephone and Service Tolls for County Offices	5,000.00
Lights, water, fuel and maintenance of county office building and courthouse	6,500.00
Water service, Marion Sims Hospital	1,500.00
Salary, County Minister	1,200.00
Salary, County Physician	1,800.00
County's Contributions—Retirement System	8,875.00
Police Retirement System	6,000.00
Salary for Secretary, County Board of Registration	600.00
Lancaster County's portion for the institution and operation of a Mental Health Clinic to serve the Counties of York, Chester and Lancaster	10,000.00
National Guard Unit at Lancaster	650.00
Tuberculosis for Film	600.00
Kershaw Public Library	1,000.00
Rental—A. S. C.	870.00
Tax Collector	3,600.00
Expenses	400.00
Civilian Defense Program	2,600.00
Salary for Clerk and Bookkeeper at Chain Gang	2,400.00
Expenses	1,800.00
Children's Home (Rent)	1,800.00
Civil Air Patrol (Lancaster)	300.00
Civil Air Patrol (Kershaw)	300.00
Historical Commission and maintenance of historical sites	500.00

Industrial Development Board to be approved by a majority of the Lancaster County Legislative Delegation, including the Senator	1,500.00
Secretarial help, postage, etc. for Circuit Judge	750.00
Total	$ 86,245.00
GRAND TOTAL	$467,250.00
Less Estimated Revenue Other Than Taxes:	
Gasoline Tax	$162,000.00
Insurance License Fees	25,000.00
County Service Officer	5,021.00
Alcoholic Liquors, Beer and Wine Tax and Income Tax	112,000.00
State Bank Tax	19,700.00
Library Fund	1,500.00
Fines and Forfeitures	75,000.00
Miscellaneous	1,000.00
Rent from Nursing Home	9,000.00
Fees from Juvenile Court	4,000.00
Total	$414,221.00
Amount to be raised by Taxation	$ 53,029.00

Any sums not expended from the appropriations herein set forth, together with any surplus remaining over and above the total appropriations, shall be placed in the general fund of the county.

SECTION 5. The county board of directors is hereby authorized to set aside out of the road fund such sum of money as, in its judgment, may be required in the interim between the regular monthly meetings for use in meeting weekly payrolls for labor, and to pay for freight, express and repairs for machinery, and the county treasurer is hereby authorized to make disbursements out of such special fund only on itemized claims of the chairman of the county board, which claims shall be regularly filed by the county treasurer with the county board of directors for formal approval by a majority thereof; the approval or disapproval shall be recorded in the minutes of the board. The board is authorized and directed to pay the expenses of the audit authorized by the board for the past fiscal year. All claims must be made out and listed separately.

SECTION 6. The jailor, under supervision of the sheriff, is hereby required to pay all operating expenses of the jail, except that per diem for dieting prisoners, hereinafter provided for, and except water, rents, fuel and electric lights.

The above salary of the sheriff shall be in full for all services rendered the county, including the summoning of juries for the Court of General Sessions and Common Pleas; jailor to receive, in addition to his salary, fifty cents for each commitment and fifty cents for each discharge.

SECTION 7. The county board of directors is hereby authorized to pay the salaries of the county officers, magistrates and constables monthly; *provided,* the county board of directors shall not in any event appropriate or expend in excess of the amounts herein appropriated; *provided,* further, that the salaries of the clerks employed by the superintendent of education in his office shall be paid out of the county board of education funds.

SECTION 8. It shall be unlawful for any county official or employee to use any automobile, truck, tractor, gasoline or oil, or other property belonging to the county, except for county purposes.

SECTION 9. The board of directors is hereby authorized and directed to maintain telephone service in the following offices: County Director's office, Sheriff's office, Treasurer's office, Auditor's office, Probate Judge's office, Clerk of Court's office, Department of Public Welfare, Magistrate's at Gills Creek Township office, County Health Department office, County Service Officer, Juvenile Court, Tax Collector, Probation Officer, T. B. Association, Red Cross, Home Demonstration Agent, Civil Defense, Colored Agriculture Agent, County Jail and the Armory. *Provided,* that no long distance telephone calls shall be made from any telephone furnished by the county except for official calls made in connection with the particular office. Telephone service for superintendent of education's office is to be paid from funds allotted to schools. Each county official in whose office a telephone is maintained shall certify monthly to the board of directors that all long distance calls made from his office were for official county business. The payment of all long distance calls shall be approved by the county board of directors.

SECTION 10. The county board of directors is hereby empowered and directed, upon the written authority of the Senator and at least

one member of the House of Representatives from Lancaster County, to have an audit made of each county office for the fiscal year beginning July 1, 1964. An amount sufficient to defray the cost of such audit is hereby appropriated out of the general funds of Lancaster County. All such audits are to be made by a certified public accountant.

SECTION 11. Each and every magistrate in Lancaster County is hereby required to file with the county board of directors each month a report showing the name of each party for whom a warrant was issued; the amount of fines collected; sentences given; the cases appealed to the Circuit Court and the cases sent up to the Circuit Court. It shall be unlawful for the county board of directors to issue pay warrants to any magistrate until such report is filed.

SECTION 12. The County Board of Directors of Lancaster County is hereby authorized, empowered and directed, with the approval of the Senator and at least one member of the House of Representatives from Lancaster County, to borrow money for such public purposes as may be necessary, and to irrevocably pledge the levies and the faith, credit and taxing power of Lancaster County for the payment of all monies which may be borrowed hereunder.

SECTION 13. Any appropriation, expenditure or money borrowed or other acts made by the county board of directors under the authority of the Lancaster County Appropriations Act authorized by written authority of the Senator and one member of the Lancaster County Legislative Delegation are hereby validated.

SECTION 14. A tax of forty-five mills is hereby levied upon all taxable property in Lancaster County for school purposes. This money shall be used to pay salaries, heat, lights, water and all countywide expenses. After estimated countywide expenses are budgeted, the balance of the estimated income from this tax and all other sources shall be distributed as follows: The following schools shall be allotted two thousand dollars each to be used as the area superintendents and as local boards see fit: Buford High School, Flat Creek High School, Indianland High School, Heath Springs High School, Hillside High School, Kershaw High School, Lancaster Junior High School, Barr Street High School and Lancaster Senior High School. The remainder of the estimated income shall be allocated to the various school areas on a per pupil basis. Each area shall prepare

a breakdown of its budget and present it to the county board of education for approval. *Provided,* that every area superintendent shall keep an itemized record of all receipts and disbursements and shall file the same with the county board of education prior to July 1, 1966. The above records shall be signed by the area superintendent and a majority of the trustees, including the chairman.

SECTION 15. It shall be unlawful for the board of directors or supervisor of roads for Lancaster County to offer for sale or dispose of any property or equipment of any kind having a value of five hundred dollars, or more, without first obtaining the written approval of a majority of the legislative delegation, including the Senator. The supervisor of roads is hereby authorized to purchase any emergency repairs or equipment where the item so purchased does not cost in excess of five hundred dollars. All major items or heavy road-working equipment is to be purchased by majority approval of the board after obtaining written authorization from a majority of the legislative delegation, including the Senator.

SECTION 16. In order for the county to participate in federal funds or other sources of funds for the construction and equipping of a health center or centers, and the right to acquire land for the same, the county board of directors shall provide the necessary legal authority for the board, through its chairman, to apply through the State Board of Health for federal funds to assist in the construction and equipping of such health center or centers, and for the purchase of necessary land or acquire the necessary land by gift, devise or otherwise.

The authority granted shall enable the proper person or persons to legally apply and enter into agreements or contracts for federal or other funds. It is further provided that if any funds are received, they shall be deposited in the county treasury and shall be paid out in accordance with the plans, agreements and contracts authorized to be entered into for such financial assistance as may be available.

All such acts herein authorized shall be in accordance with Public Law 725 of the 79th Congress of the United States entitled "Hospital Survey and Construction Act" and the "State Hospital and Licensing Act" and regulations issued under the authority of the same.

SECTION 17. Any or all funds received by Lancaster County under the provisions of the General Appropriations Act for the State of South Carolina for the fiscal year 1965-1966 for school purposes

shall be used to defray costs of the budget for the Lancaster County schools for the year 1965-1966. In preparing the school budget for the school year 1965-1966, the county board of education is hereby authorized and directed to pay to all school teachers in Lancaster County nine hundred fifty dollars. *Provided,* that no teacher, administrator, superintendent or principal shall draw for the year 1965-1966 less than twenty-five dollars increase over the 1964-1965 county supplement.

SECTION 18. An amount of fifteen thousand dollars—Lancaster, ten thousand; Heath Springs, five hundred; and Kershaw, one thousand five hundred is hereby appropriated for parks and playgrounds; *provided,* that each town, by taxation, matches dollar for dollar the funds appropriated by the county; also any county community project approved by a majority of the delegation, including the Senator.

SECTION 19. Six hundred dollars is hereby appropriated for the Lancaster County Board of Health to be used for the purpose of operating a dog pound in the county.

SECTION 20. If circumstances arise which, in the judgment of the Lancaster County Legislative Delegation, or a majority thereof, including the Senator, require the expenditure of a greater amount than hereinabove provided for any purpose, or should in the judgment of the delegation, or a majority thereof, including the Senator, the interest of Lancaster County require the expenditure of funds for purposes not mentioned in this act and above-enumerated, then the delegation, or a majority thereof, including the Senator, shall have, and is hereby given the right by resolution to increase the amount appropriated for any item, and may also appropriate funds for purposes not mentioned or referred to in this act, which resolution shall be filed with the Board of County Directors for Lancaster County as its authority for expending the funds thus appropriated, and the board of directors may borrow, if necessary, such amounts as may be required to meet such increases or additional appropriations, and may pledge the full faith and credit of Lancaster County for the payment of the amounts so borrowed.

SECTION 21. One and one-half mills of the board of education's tax levy shall be used for establishing and helping to finance the branch of the Extension Division of the University of South Carolina established in Lancaster County

SECTION 22. The total amount of taxes levied for the fiscal year 1965-1966 shall not exceed seventy mills as follows: county bonds and notes, seven and one-half mills, county ordinary; school bonds and notes, ten mills, schools; parks and playgrounds, one mill, county ordinary; school operation, forty-five mills, schools; higher education commission, one and one-half mills, schools; library, one and one-half mills, county ordinary; and county ordinary, three and one-half mills.

SECTION 23. All special funds accruing to Lancaster County because of a surplus in the General Fund of the State which is allocated on a per pupil basis shall be placed by the treasurer in a special contingent fund. Expenditures from this fund shall be made only upon a favorable vote of a majority of the county board of education with the approval of a majority of the legislative delegation, including the Senator.

SECTION 24. The clerk and bookkeeper for chain gang and Lancaster County Road Department shall have the following duties: keep records of all vehicle expense, records of all material bought and received, issue materials and parts, keep records of all materials bought in the building and construction of roads and records of all labor used on contract roads. He shall make a monthly report to the county board of directors.

SECTION 25. This act shall take effect upon approval by the Governor.

Approved the 19th day of June, 1965.

(R52, S97)

No. 662

An Act To Provide For The Transfer Of Funds By Laurens County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Transfer of funds by Laurens County.—The sum of fifty-five thousand dollars is hereby transferred from the general fund of Laurens County. Five thousand dollars shall be transferred to the contingent fund, and fifty thousand dollars, or so much thereof as may be necessary, shall be used by the county supervisor for the purchase of a front end loader, a motor grader and three trucks.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of February, 1965.

(R244, H1445) **No. 663**

An Act To Authorize The Treasurer Of Laurens County To Transfer Five Thousand Dollars From The Unappropriated Surplus Of The County To The Laurens County Library.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Laurens County may transfer funds.—The Treasurer of Laurens County is authorized to transfer five thousand dollars from the unappropriated surplus of the county to the Laurens County Library.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of April, 1965.

(R472, H1702) **No. 664**

An Act Removing From The State Highway System And Authorizing The Closing Of A Portion Of Road S-30-222 In The County Of Laurens.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Portion of road in Laurens County removed from Highway System.—That portion of Road S-30-222 from the entrance to Baptist Assembly Gate three-tenths miles southwest of Road 152 westerly to Lake Greenwood twenty-five hundredths miles is hereby removed from the State Highway system.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1965.

(R624, S394)

No. 665

A Joint Resolution To Authorize The Board Of County Commissioners Of Laurens County To Sell Certain Property In The City Of Clinton To Mrs. J. David Copeland And To Prescribe How The Sale Shall Take Place.

Whereas, the County of Laurens is the owner of certain property on Woodrow Street in the City of Clinton and is desirous of selling sixteen feet frontage on Woodrow Street from this property; and

Whereas, an appraisal has been made by C. Bryan Holland, R. T. Wilson, Jr. and M. H. Hunter, Jr. of thirty-five dollars per running foot. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Laurens County may sell certain property.—The County Board of Commissioners of Laurens County is hereby authorized to sell the tract of land hereinafter described for a purchase price of thirty-five dollars per running foot on Woodrow Street to Mrs. J. David Copeland and to execute and deliver a deed in the usual form conveying the following property:

> All that certain lot or parcel of land situate, lying and being in the Town of Clinton, Laurens County, State of South Carolina, facing on Woodrow Street a distance of 16 feet and running back a distance of 105 feet, more or less, the northern point of said lot is where the lot from this 16 feet it taken joins the lot of Mrs. Lena Cooper, and iron pins are hereby being placed on the 4 corners of said lot by the grantor and agreed to by grantee.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R732, H1890)

No. 666

An Act To Provide For The Levy Of Taxes For School And County Purposes For The Fiscal Year 1965-1966; To Direct The Expenditure Thereof; To Provide For The Borrowing Of Money For Laurens County; To Provide Authority For Peace Officers; And To Further Regulate The Fiscal Affairs Of Laurens County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The County Auditor of Laurens County is hereby directed to levy a tax of fourteen mills on all taxable property of Laurens County for the year 1965 which, together with the estimated revenues for the fiscal year 1965-1966 from other sources applicable to county purposes, shall be sufficient to raise the sums of money hereinafter appropriated. The County Treasurer of Laurens County is hereby directed to collect the tax in the manner provided by law.

SECTION 2. Subject to the terms and conditions of this act, the sums of money set forth herein, if so much be necessary, be, and the same are hereby appropriated out of the general fund of Laurens County, to meet the ordinary operating expenses of Laurens County applicable to the fiscal year 1965-1966 and for such other purposes as may be hereinafter specifically designated.

SECTION 3. Appropriations:

Item 1. Board of Commissioners:		
A. Salaries:		
1. Supervisor	$	6,912.16
2. Commissioners (2 @ $808.14 each)		1,750.96
3. Clerk		3,612.98
4. Assistant		3,284.52
		15,560.62
B. Travel:		
1. Travel for Supervisor		2,400.00
2. Travel for 2 Commissioners @ $350.00		700.00
		3,100.00
C. Office Supplies		800.00
		800.00
D. Courthouse:		
1. Water, lights, fuel, telephone, janitor, supplies, cleaning grounds		10,000.00
2. Beautifying the lawn and building walks—to be done under the supervision of the county garden clubs		100.00
3. Ladies' rest room		1,023.74
		11,123.74

E.	Insurance—for Courthouse, Jail, County Home, Agriculture Building and Chain Gang Camp Buildings	2,010.00
		2,010.00
F.	Supervisor:	
1.	Salaries	65,744.68
2.	Maintenance of roads and bridges and supplies	90,000.00
3.	For equipment and supplies and for patching and otherwise improving black top roads	50,000.00
		204,744.68
G.	County Home:	
1.	Salaries:	
a.	Superintendent	2,543.52
b.	Assistant Superintendent	505.81
c.	Additional help to care for inmates	3,815.31
2.	Food, clothing, fuel, lights, etc., for inmates and for farming expenses	11,000.00
		17,864.64
H.	S. C. Retirement System for County employees	11,200.00
H-1.	County's part of Social Security	10,200.00
H-2.	County's part of Travelers Insurance	350.00
		21,750.00
I.	S. C. Industrial Commission — premium for Workmen's Compensation Insurance	3,000.00
		3,000.00
J.	County Attorney	500.00
		500.00
K.	S. C. Police Officers Retirement System	4,700.00
		4,700.00
	Total, Item 1	$285,153.68
Item 2.	Clerk of Court:	
A.	Salaries:	
1.	Clerk of Court	$ 6,912.16
2.	Deputy Clerk	3,612.98

3. Clerical Assistant		3,284.52
4. Second Assistant		3,284.52
5. Janitor for Courthouse—to be named by Clerk of Court and perform such duties as the clerk prescribes		3,071.24
		20,165.42
B. 1. Travel for Clerk of Court		300.00
2. Courthouse Custodian travel		360.00
		660.00
C. Office Supplies		5,350.00
C-2. Photostat machine supplies		3,000.00
		8,350.00
D. Circuit Court and Civil and Domestic Relations Court—expenses, including jurors, witnesses and bailiffs		20,000.00
		20,000.00

Provided, witnesses shall receive two dollars per day and all jurors, bailiffs and the court crier in attendance upon the court shall receive as compensation the sum of seven dollars and fifty cents per diem and mileage as now prescribed by law. *Provided,* further, the courthouse janitor shall receive seven dollars and fifty cents additional compensation for each date the court of general sessions is in session.

Total, Item 2		$ 49,175.42
Item 3. Auditor:		
A. Salaries:		
1. Auditor	$	2,174.35
2. First Assistant		3,612.98
3. Second Assistant		3,284.52
4. Third Assistant		3,284.52
5. Extra help		700.00
		13,056.37

B. Office supplies, includes $250.00 IBM maintenance	1,500.00	
		1,500.00
C. Board of Assessors and Equalization—each member shall be paid seven dollars and fifty cents per day for services actually rendered plus State mileage of seven cents per mile	3,750.00	
		3,750.00
D. Travel for Auditor	900.00	
		900.00
Total, Item 3		$ 19,206.37
Item 4. Treasurer:		
A. Salaries:		
1. Treasurer	$ 2,174.37	
2. Assistant	3,612.98	
3. Extra help	100.00	
		5,887.35
B. Travel for Treasurer	300.00	
		300.00
C. Tax Collector:		
1. Salaries:		
a. Supervisor, Tax Collector's Office	788.29	
b. Deputy Delinquent Tax Collector	4,729.72	
		5,518.01

Provided, that the Supervisor of the Tax Collector's Office shall designate the Deputy Tax Collector and field men; *provided,* further, that all fees and costs of execution shall be remitted to the general fund of the county; *provided,* however, that one dollar of the execution fee and mileage shall be paid to the field men as compensation for services, plus four per cent of the amount collected.

D. Office supplies		3,100.00
		3,100.00
Total, Item 4		$ 14,805.36
Item 5. Superintendent of Education:		
A. Salaries:		
1. Superintendent of Education	$	953.82
2. Assistant		3,612.98
3. Attendance Teacher		433.55
4. Supervisor of School Lunch Program		433.55
		5,433.90
B. Travel for Superintendent of Education		900.00
Travel for School Lunch Supervisor		522.00
Travel for Attendance Teacher		600.00
		2,022.00
C. Office supplies		350.00
		350.00
D. Attendance Teacher—aid for needy children		200.00
		200.00
E. County Board of Education Fund		400.00
		400.00
Total, Item 5		$ 8,405.90
Item 6. Sheriff:		
A. Salaries:		
1. Sheriff	$	6,912.16
2. Chief Deputy		4,531.93
3. Deputy Sheriffs (9 @ $3,815.31)		34,337.79
Provided, one of the above Deputy Sheriffs shall be assigned to the Wattsville area.		
4. Deputy for day work		3,815.31
5. Deputy for night work		3,815.31
6. Jailer		3,815.31
7. Deputy Sheriffs for mills (3 @ $245.67)		737.01
		57,964.82

Provided, the Sheriff shall have the authority to name one deputy as Chief Deputy and such deputy shall be placed under bond of $2,500.00.

B. Travel:

1. Sheriff	2,400.00
2. Deputy Sheriffs—10 @ $200.00 per month	24,000.00
3. Deputy Sheriffs—1 @ $100.00 per month	1,200.00
4. Day and night clerk—$125.00 per month	3,000.00
5. Two deputies at Joanna, transporting prisoners and witnesses to jail and trial at magistrates' courts—$100.00 per month	2,400.00
6. Head mill deputy at Lydia Mill, transporting prisoners and witnesses to jail and trial at magistrates' courts—$150.00 per month	1,800.00
	34,800.00
C. Uniforms and overcoats—July 1, 1965, to June 30, 1966—13 @ $175.00 per year	2,625.00
	2,625.00
D. Office supplies	1,400.00
	1,400.00
E. Radio system:	
1. Maintenance	1,200.00
2. Supplies	700.00
3. Payment on Sheriff's radios	2,402.52
	4,302.52
F. Jail:	
Water, lights, fuel, disinfectants, plumbing, returning prisoners taken into custody outside of county and outside of State, and dieting prisoners at one dollar and five cents per day	12,000.00
	12,000.00
Total, Item 6	$113,092.34

Item 7. Judge of Probate:

A. Salaries:	
1. Judge of Probate	$ 6,912.16
2. Clerk	3,612.98
3. Assistant	3,284.52
	13,809.66

Provided, that all fees collected in this office shall be turned over to the county treasurer. This does not include commissions received from the Tax Commission on inheritance taxes. Certified copies of marriage licenses shall be furnished free of charge on request to persons in the Armed Services of the United States and to veterans of the Korean Conflict, but no more than one copy shall be furnished without charge.

B.	Travel for Probate Judge	900.00
		900.00
C.	Office supplies	1,500.00
		1,500.00
	Total, Item 7	$ 16,209.66
Item 8.	Health Department: County's part of salaries and travel allowance of county employees, office supplies and maintenance of building. It shall be the duty of the health department to handle the vital statistics of Laurens County	23,600.00
	Total, Item 8	$ 23,600.00
Item 9.	Magistrates:	
A.	Salaries:	
1.	Laurens	$ 1,971.37
2.	Clinton	1,589.71
3.	Cross Hill	364.28
4.	Waterloo	364.28
5.	Gray Court	364.28
6.	Youngs	364.28
7.	Scuffletown	364.28
8.	Sullivans	364.28
9.	Jacks	364.28
10.	Joanna	364.28
11.	For stenographic help in holding inquests and preliminaries, to be expended upon the approval of the coroner and the sheriff, if so much be necessary	600.00
		7,075.32

Provided, however, that in addition to the above compensation, each magistrate shall be paid the sum of ten dollars for each jury trial in which he or she presides and for each inquest.

B.	Office rent—Clinton	144.00
		144.00
C.	Office supplies	450.00
C-1.	Stamps and stationery @ $10.00 per magistrate	100.00
		550.00
D.	For payment of jurors in criminal cases, and for miscellaneous expenses, including payments to magistrates for holding jury trials and inquests	2,300.00
		2,300.00

Provided, that hereafter all jurors actually serving in trial of criminal cases in magistrates' courts shall be paid two dollars for each case so tried. The presiding magistrate shall issue to each juror so serving a pay certificate showing the date of service which shall be paid upon presentation to the county treasurer.

	Total, Item 9	$ 10,069.32
Item 10.	Agriculture:	
A.	County supplement to State income:	
1.	County Agent	$ 600.00
2.	Secretary to County Agent	420.00
3.	Stenographer for Home Demonstration Agent	360.00
4.	Assistant County Agent	660.00
5.	Second Assistant County Agent	600.00
6.	Demonstration materials—Home Demonstration Agent	120.00
7.	Air conditioning and repairing Auditorium	2,000.00
8.	Travel for County Agent	300.00
		5,060.00
B.	Agriculture Building—janitor supplies, plumbing and other minor repairs, fuel, water, lights, telephone and postage	1,475.00
		1,475.00

C. Club Work:		
1. Club Work	300.00	
2. F. F. A.	175.00	
3. Future Homemakers	175.00	
		650.00
D. Travel for Negro County Agent	300.00	
		300.00
F. Rent:		
1. AAA Office	600.00	
2. F. H. A. Office	300.00	
		900.00
G. Laurens Cooperative Breeding Association	200.00	
		200.00
Total, Item 10		$ 8,585.00
Item 11. Department of Public Welfare:		
A. For maintenance, including office expense and mileage for child welfare worker	5,515.00	
		5,515.00
Provided, that the board members shall receive $25.00 per month from this fund.		
B. Emergency assistance	2,400.00	
		2,400.00
C. Boarding home care	2,000.00	
		2,000.00
D. Aid for indigent aged	1,000.00	
		1,000.00
E. Travel for employees on a prorata basis	3,360.00	
		3,360.00
F. Heart Fund	300.00	
		300.00
Total, Item 11		$ 14,575.00

Item 12.	County Service Officer	$ 5,912.16
	Secretary to County Service Officer	3,284.52
	Office supplies and travel	1,000.00
	Total, Item 12	$ 10,196.68
Item 13.	Domestic Relations Court:	
	A. Salaries:	
	1. Judge	$ 5,460.00
	2. Stenographer	1,733.32
	3. Office supplies and rent	600.00
	Total, Item 13	$ 7,793.32
Item 14.	Laurens County Library	$ 30,545.00
	Provided, that the distribution and circulation of library books in rural schools shall not be curtailed. *Provided,* further, that any raise given an employee shall be with consent of delegation, including the Senator.	
	Total, Item 14	$ 30,545.00
Item 15.	Coroner:	
	A. Salary:	
	1. Coroner	$ 2,730.00
	2. Travel for Coroner	300.00
	Total, Item 15	$ 3,030.00
Item 16.	County Physician:	
	A. Salaries:	
	1. County Physician	$ 1,421.86
	B. Medical supplies	300.00
	Provided, no medical supplies shall be purchased except on written approval of the County Physician and shall not exceed $25.00 per month.	
	Total, Item 16	$ 1,721.86
Item 17.	Forest Fire Control:	
	A. Per diem and mileage for board members	$ 200.00
	B. Ranger	400.00
	C. Wardens, three @ $300.00	900.00
	D. Tractor Operator	502.45
	Total, Item 17	$ 2,002.45

Item 18. Miscellaneous:		
A. County audit—not to exceed	$ 3,500.00	
		3,500.00
B. Secretary to delegation—office expense	400.00	
		400.00
C. Lunacy examinations	2,300.00	
		2,300.00
D. Contingent	10,000.00	
		10,000.00
E. Board of Registration, three @ $110.00 for meeting away from county seat	330.00	
E-1. Travel—$150.00 each	450.00	
		780.00
F. Premium on bonds	925.00	
		925.00
G. Supplement for stenographer to Probation Officer	1,000.00	
1. Office expense	50.00	
2. Liaison office for Solicitor	1,800.00	
		2,850.00
H. Planning and Development Commission	2,000.00	
		2,000.00
Total, Item 18	$ 22,755.00	
Item 19. National Guard Units:		
A. Laurens	$ 600.00	
		600.00
B. Clinton	600.00	
		600.00

These funds are not available if any of the above guard units are called into Federal service, or

	if called out to police any integrated school in this State.	
	Total, Item 19	$ 1,200.00
Item 20.	Contributions:	
A.	Transportation and medicine for cancer patients	$ 1,800.00
		1,800.00
B.	Soil Conservation Office	500.00
B-1.	Stenographer	1,100.00
		1,600.00
	Total, Item 20	$ 3,400.00
Item 21.	Mental Health Clinic: Area No. 5 Mental Health Clinic—Laurens County's prorated contribution	$ 8,118.59
	Total, Item 21	$ 8,118.59
Item 22.	Laurens County Rescue Squad	$ 1.500.00
	Provided, a detailed financial report reflecting the expenditures of the amount provided for herein shall be given to each member of the legislative delegation not later than February 1, 1966.	
	Total, Item 22	$ 1,500.00
	GRAND TOTAL	$655,140.95
	Estimated Revenues:	
	Estimated income on 14 mills tax	$190,000.00
	Fines	70,000.00
	Gasoline Tax	162,000.00
	Alcoholic Liquors Tax	48,000.00
	Beer and Wine Tax	12,500.00
	Income Tax	62,000.00
	Delinquent Taxes—County	11,000.00
	Recording Fees (Clerk's Office)	24,000.00
	Dividends	3,000.00
	Library Board	5,000.00

Bank Tax	5,500.00
Service Office	4,815.00
Insurance License Fees	31,000.00
Miscellaneous Fees	8,000.00
Unappropriated Surplus	66,000.00
Total, Estimated Revenues	$702,815.00

SECTION 4. The county sheriff is hereby authorized and required to make a monthly report to the Laurens County Treasurer and at the same time turn over to the county treasurer all fines, fees and mileage, except all fees collected for the service of magistrates' papers. The report shall be made on or before the tenth day of each month.

SECTION 5. The county supervisor is hereby authorized and required to make a quarterly report to the Laurens County Delegation in the General Assembly, giving an itemized and verified statement of all expenditures pertaining to his office which have been paid by him and also an itemized statement of all debts and obligations incurred for which Laurens County is liable. The report shall be made on or before April fifteenth, July fifteenth, October fifteenth and January fifteenth of each year.

SECTION 6. The supervisor and county commissioners are hereby required to keep a separate account covering the various items of the appropriations act not to exceed in expenditure the amount herein provided for each item; and for any excess allowed or permitted, the officers shall be held on their official bond. It shall be unlawful for any county commissioner or commissioners or other officers of county government, to purchase, bargain for, or contract for any materials or services which would create a deficit in any item or provision hereof within the time covered by this act, except upon written approval of a majority of the delegation.

SECTION 7. The county treasurer is authorized to pay claims for school teachers' salaries and for other school purposes from the general fund of the county, all such amounts to be refunded to the general fund when State aid and current school taxes are received in the treasurer's office.

SECTION 8. The official bond for the County Supervisor of Laurens County shall be ten thousand dollars and no claim against Laurens County shall be paid until it has had the approval in writing of the

county supervisor and at least one of the two county commissioners. All expenditures in excess of the appropriations herein made, and not duly authorized by law, made by the County Supervisor and Board of County Commissioners for Laurens County, shall not constitute a valid indebtedness against Laurens County and all such contracts shall be null and void unless same have previously been approved by a majority of the delegation. The official bond of the county supervisor and county commissioners shall be responsible for all unauthorized expenditures and contracts made by such officers on behalf of Laurens County. The supervisor is hereby required to notify the sheriff immediately upon the escape of any convict from the county chain gang, and the sheriff shall have his actual expenses for the capture of such escaped convict, when necessary to go out of the county.

SECTION 9. The board of county commissioners is hereby authorized and directed to divide the expenditures of such appropriations into monthly payments and monthly expenditures shall not exceed one-twelfth of the annual appropriations, unless otherwise stipulated.

SECTION 10. In the event of a vacancy or a new recommendation, there shall be appointed and commissioned by the Governor, upon the named, three special deputies to have the usual authority of peace officers, and who shall be assigned to duty as follows: two at Joanna Mill and one at Lydia Mill, as the sheriff may designate, and shall be paid by the Treasurer of Laurens County the sum of two hundred forty-five dollars and sixty-seven cents each per year, and the two mills may supplement the salaries if they do so desire, such appointments to be made for a period of two years; *provided,* however, that the terms of such appointments shall not extend beyond the term of the sheriff at any time. Such deputies must be sworn in office before the Clerk of Court of Laurens County, and shall have the usual bond in the sum of one thousand dollars, conditioned upon the faithful performance of duty. *Provided,* that all pay and allowances for mill deputies provided by this act shall be paid by the treasurer only when approved by the Sheriff of Laurens County.

SECTION 11. The Board of County Commissioners of Laurens County is hereby authorized and required to advertise for competitive bids for the purchase of all supplies used by Laurens County, including the county home, and shall accept the lowest responsible bid for the same and any purchase not made in conformity thereto shall not be a debt against the county. *Provided,* however, the board of com-

missioners shall purchase any such supplies from the Division of General Services of the State Budget and Control Board if such purchases can be made at a cost less than the lowest bid herein referred to. Supplies herein mentioned include road materials, office equipment, and other equipment and machinery of a value of more than one hundred dollars, but does not include purchase of parts or personal service for repairs of equipment where no competitive part or service is available; *provided,* that the board shall have the right to reject any bid which does not meet its requirements as to quality, specifications or description. *Provided,* further, that the term "board of commissioners" shall include the supervisor and the two county commissioners.

SECTION 12. The salaries herein provided for the various officers of Laurens County, except magistrates, shall be in lieu of all fees and costs, of whatsoever nature or description, collectible by them for services rendered on or after April 1, 1935. All fees or costs collected by any of such officers under the law providing the same for services rendered shall be turned over by such officer to the County Treasurer of Laurens County monthly, together with a statement under oath, showing the amount collected during the month immediately preceding such statement. All county officers are hereby forbidden to deposit any monies belonging to the county with his or her personal accounts.

SECTION 13. The official bond required of the Sheriff of Laurens County shall be five thousand dollars for which amount he shall give bond for the faithful performance of his duties, the premium of which shall be paid by the county; *provided,* that each of his deputies is required to give surety bond, conditioned upon the faithful performance of his duties, in the sum of one thousand dollars, the premium of the bonds of such deputies to be paid by Laurens County.

SECTION 14. There is hereby levied upon all the taxable property of the Laurens Hospital District four mills, which shall be known as the hospital fund for the Laurens Hospital District. Out of this fund there shall first be paid the insurance premium of the fire insurance policy covering the hospital located in the District, and the balance thereof shall be expended for the care and support of the needy or charity patients (past and present) of the Laurens Hospital District and it shall be the duty of the county board of commissioners to pass upon all claims approved by the operating board of trustees of the Laurens County Hospital District; *provided,* however, that patients

admitted to the hospital from the county jail, county chain gang and from courts of the county and State shall be considered and treated as charity.

SECTION 15. There is hereby levied upon all the taxable property of the Clinton Hospital District four mills, which shall be known as the hospital fund for the Clinton Hospital District. Out of this fund there shall first be paid the insurance premium of the fire insurance policy covering the hospital located in the District and the balance thereof shall be expended for the care and support of the needy or charity patients (past and present) of the Clinton Hospital District, and it shall be the duty of the county board of commissioners to pass upon all claims approved by the operating board of trustees of the Clinton Hospital District; *provided,* however, that patients admitted to the hospital from the county jail, county chain gang and from the courts of the county and State shall be considered and treated as charity.

SECTION 16. Provisions made herein for additional clerical help in the several offices shall not be used to supplement salaries of regular employees.

SECTION 17. The county treasurer is hereby authorized, empowered and directed to transfer from the county sinking fund to the general fund of the county the funds now in and hereafter accruing to the account for the past indebtedness.

SECTION 18. The auditor shall levy and the treasurer shall collect the tax on all the taxable property of Laurens School District No. 55 and Laurens School District No. 56, not to exceed thirty-five mills. *Provided,* further, that in the event any money shall remain in the current operating fund of School District No. 55 or School District No. 56, at the end of the fiscal year, all such money shall be applied to any deficit of the respective districts. The treasurer shall credit the amounts collected in the respective districts to the account of the districts, and the funds shall be expended under the supervision and direction of the trustees of such school districts for general school purposes.

Provided, further, that the trustees of either School District No. 55 or School District No. 56 shall petition the County Board of Education of Laurens County for an election on the question of raising the levy for school purposes whenever a greater levy than thirty-five mills is needed to meet the budgets of the school districts.

SECTION 19. Any funds received by the treasurer by reason of the terms of the appropriations act for 1964 for the benefit of the schools of Laurens County shall be credited to the districts as provided by law and shall be expended by the trustees of the districts for general school purposes.

SECTION 20. All transfers of funds heretofore made by the county treasurer from one account to another made upon the written request of a majority of the Laurens County Legislative Delegation, including the Senator, are hereby validated.

SECTION 21. The appropriation hereinabove made for the county attorney, and for the hiring of auditors to audit the books shall be spent only upon direction of the Laurens County Legislative Delegation, including the Senator; and the county attorney and the company which audits the county books shall be named by the Laurens County Legislative Delegation, including the Senator.

SECTION 22. There is hereby appropriated a sufficient sum of money for School District No. 55 and a sufficient sum of money for School District No. 56 in Laurens County which shall be utilized as a supplement to increase to twenty per cent the 1965-66 State Aid Schedule for teachers in the respective districts. *Provided,* that the county auditor shall first ascertain from the State auditor whether or not sufficient State funds will be forthcoming for this purpose. If, by June 1, 1965, the county auditor determines that State funds are insufficient to pay the increase provided in this act the auditor of the county shall levy, and the treasurer shall collect, a sufficient tax in the respective districts to pay the increase; *provided,* however, the tax shall in no event exceed five mills.

SECTION 23. The county supervisor shall pay county employees every two weeks.

SECTION 24. This act shall take effect upon approval by the Governor.

Approved the 19th day of June, 1965.

(R501, H1730)

No. 667

An Act To Make Appropriation For The Operating Expenses Of Lee County For The Fiscal Year 1965-1966, And To Provide For The Expenditure Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Out of the available funds now on hand, and to be received, there is hereby appropriated for county purposes for the fiscal year beginning July 1, 1965, and ending June 30, 1966, the following:

Item 1. Roads, bridges and chain gang:

Salary, Superintendent of Roads	$ 4,800.00
Salary, (2) employees @ $3,000.00	6,000.00
Salary, (4) employees @ $2,850.00	11,400.00
Salary, (1) employee	1,980.00
Clothing and bedding for prisoners	3,000.00
Gasoline, oil, grease, tires and tubes	7,800.00
Lumber and pipe	3,000.00
Coal, lights, medicine and doctor's bills	2,400.00
Repairs and other miscellaneous items	11,000.00
Dieting prisoners and guards' meals	8,000.00
Total, Item 1	$ 59,380.00

Item 2. Administrative:

Auditor (to make total salary $5,348.00)	$ 1,500.00
Treasurer (to make total salary $5,348.00)	1,500.00
Clerk of Court	2,360.00
Attorney	600.00
Coroner	775.00
Chairman, County Board of Commissioners additional	260.00
County Commissioners, seven @ $600.00 each	4,200.00
Clerk, Auditor's Office	2,580.00
Clerk, Treasurer's Office	2,580.00
Clerk, County Board of Commissioners	3,400.00
Assistant Clerk, County Board of Commissioners	1,200.00
Clerk, Clerk of Court's Office	2,580.00
Total, Item 2	$ 23,535.00

Item 3.	Judicial:	
	Judge of Probate	$1,200.00
	Clerk, Judge of Probate's Office	1,500.00
	Magistrate, Bishopville	1,800.00
	Magistrate, Lynchburg	1,100.00
	Magistrate, Lucknow	600.00
	Magistrate, St. Charles	600.00
	Magistrate, Spring Hill	600.00
	Magistrate, Ashwood	600.00
	Magistrate, Cypress	600.00
	Magistrate, Ionia	600.00
	Magistrate, Stokes' Bridge	600.00
	Jurors, Bailiffs and witnesses, including per diem of jurors and bailiffs at $4.00 and witnesses at $1.00 per day	2,000.00
	Total, Item 3	$ 11,800.00
Item 4.	Law Enforcement:	
	Sheriff, salary	$ 4,380.00
	Sheriff, traveling expense	1,500.00
	Deputies, (5) at $3,000.00	15,000.00
	Deputies, subsistence (5) at $600.00 each per annum	3,000.00
	Clerk, Sheriff's Office	2,580.00
	Jailor	2,000.00
	Miscellaneous jail expense	1,000.00
	Dieting jail prisoners	2,400.00
	Uniforms for Sheriff and (5) deputies	900.00
	Miscellaneous administrative expenses	500.00
	Gas, oil, batteries, tires and repairs to police cars	5,000.00
	Maintenance of Police Radios	1,000.00
	Total, Item 4	$ 39,260.00
Item 5.	Social Welfare:	
	General Relief	$ 3,000.00
	Old soldiers and their widows residing in Lee County	60.00
	Lee County Health Department	9,000.00
	Public Welfare Department (matching fund for expenses)	1,000.00

	Vital Statistics (Health Department)	250.00
	Janitress, Health Department	400.00
	Total, Item 5	$ 13,710.00
Item 6.	Courthouse and public buildings:	
	Workmen's compensation insurance	$ 1,000.00
	Water, fuel, lights, insurance and bonds	9,500.00
	Janitor, Courthouse	2,400.00
	Total, Item 6	$ 12,900.00
Item 7.	Miscellaneous:	
	Contingent fund, to be disbursed only on written approval of the county legislative delegation	$ 10,000.00
	Post Mortems and lunacy	1,000.00
	Board of Tax Assessors and Tax Appeals	1,500.00
	Books, etc., Clerk of Court's Office	1,000.00
	Printing, postage and stationery	2,000.00
	American Legion Hut and grounds, Bishopville	100.00
	American Legion Hut and grounds, Lynchburg	100.00
	V. F. W. Hut and grounds, Bishopville	100.00
	4-H Boys' Club Work	200.00
	4-H Girls' Club Work	200.00
	Additional salary, Home Demonstration Agent	600.00
	Additional salary, County Agent	900.00
	Additional salary, Assistant County Agent	660.00
	Additional salary, Assistant County Agent	300.00
	Clerical help County Agent's Office	900.00
	Clerk, Soil Conservation Office	900.00
	Home Demonstration Agent and County Agent demonstration supplies	225.00
	Salary, County Service Officer	3,400.00
	Clerk, County Service Officer	1,673.00
	Lights, telephone, stamps and incidentals for Service Officer	540.00
	Travel for Service Officer inside county	300.00
	Travel and expenses for Service Officer outside county	300.00
	Rent for office of Service Officer	540.00
	Coroner's jurors @ $2.00 per day	200.00
	County payment retirement fund	1,500.00

	Civil defense (county's part salaries and administration)	2,000.00
	Lee County Public Library Commission for books	1,000.00
	Lee County Public Library Commission for miscellaneous expenses	900.00
	Salary, County Librarian	2,790.00
	Salary, Assistant County Librarian and bookmobile librarian	1,415.00
	Gas, oil, repairs, etc., library truck	400.00
	Social Security	2,500.00
	Company "D" Third Battle Group, South Carolina National Guard	1,500.00
	Rural Fire Protection Commission	2,000.00
	Lee County Industrial Planning Board	2,000.00
	Rent, cotton platform @ $65.00 per month	780.00
	Miscellaneous repairs to public buildings	500.00
	Lee County's contribution to Sumter Area T. E. C.	4,000.00
	Total, Item 7	$ 50,923.00
Item 8.	Traveling Expenses:	
	County Commissioners, seven @ $330.00 each	2,310.00
	Coroner	450.00
	Auditor	360.00
	Treasurer	360.00
	Clerk of Court	240.00
	Total, Item 8	$ 3,720.00
	GRAND TOTAL	$215,228.00
Less Estimated Indirect Revenue:		
	Commutation Road Tax	$ 2,600.00
	Gasoline Tax	59,000.00
	Income Tax	28,000.00
	Beer, Wine and Whiskey Tax	25,000.00
	Fines and Costs	27,800.00
	Insurance Fees	6,300.00

State Contribution to County Service Officer ..	4,173.00
Other sources	8,000.00
Total	$160,873.00
Amount to be raised by taxation	$ 54,355.00

SECTION 2. The Auditor and Treasurer of Lee County are hereby authorized and directed to levy and collect upon all the taxable property of Lee County a sufficient number of mills, not to exceed twelve mills, if so much be necessary, to raise the amount stated in this appropriation act to be raised by taxation.

SECTION 3. The funds appropriated for roads, bridges and chain gang shall be spent and used in such a way as to cover the entire period of this act, and as near equally per month as possible, and the county board of commissioners is hereby forbidden to contract for or spend in excess of the appropriation in any way or make indebtedness therefor which cannot and is not paid for on the tenth of the next month after the purchase or expenditure is made. Any violation of this section shall subject the member or members of the commission to immediate removal by the Governor upon the written recommendation of the entire Lee County Legislative Delegation and any such purchase or expenditure in excess of the sums so appropriated shall not be an obligation of Lee County and be null and void.

SECTION 4. The funds appropriated for each and every purpose shall be used for that purpose only, and no part thereof shall be diverted from any one appropriation to another without the written consent of the Lee County Legislative Delegation.

SECTION 5. The county board of commissioners is hereby authorized, empowered and directed to keep all county records, books and vouchers in the board's office in the county courthouse and to keep such office open each weekday. They shall at all times keep an exact record of all sums paid on each and every appropriation of the county.

SECTION 6. The County Board of Commissioners of Lee County is hereby authorized, required and directed to buy the various provisions, supplies, etc., except perishables, necessary for the county chain gang at lowest possible prices. Fresh meats and vegetables shall be bought from local merchants on an impartial rotating basis, with

no regard to factional affiliation. Gas, oil and grease shall be purchased from the five major distributors in Lee County on a monthly rotating basis. The superintendent of roads shall be scrupulously fair in the division of this business.

SECTION 7. All new machinery, automotive and other equipment for the county and all political subdivisions of the county shall be purchased only by the county board of commissioners with the approval of the Lee County Legislative Delegation.

SECTION 8. The superintendent of roads shall use every care to keep the cost of operation of the chain gang as low as possible and he shall cause the prisoners and guards to keep all machinery and equipment properly greased and he shall cause the prisoners and guards to take extra care in operating the machinery and equipment. It shall be unlawful for any person to use gas or oil from county supplies in any vehicle other than county-owned. This shall apply to county commissioners, sheriff's department, county officials, or any other citizen.

SECTION 9. The County Board of Commissioners of Lee County shall be the sole purchasing agent for Lee County and any and all officers or employees of Lee County who may need any books, provisions, supplies and other material or thing for their offices or departments shall request the purchase of same by written request to the County Board of Commissioners of Lee County, which commission, if it deems the purchase necessary and strictly within the appropriation for such office or department, shall issue its regular requisition blank, numbered serially, in triplicate, for the purchase, deliver one copy to the officer or department requesting the purchase, deliver one copy to the seller to be presented along with the seller's itemized bill for such purchase at the time payment therefor is made. No officer or employee of Lee County shall make any purchase except in the manner herein provided and any purchase made or contracted for except by virtue of a proper requisition blank shall not be a debt against the county, but shall be the individual debt of the person making such a purchase. A copy of this section shall be mailed by the county board of commissioners to every officer or employee of Lee County and to such other concerns and people as it may deem proper.

SECTION 10. In order to prevent lost motion, duplication of effort and lack of definite responsibility, the chairman of the county board of commissioners is required to devote such part of his time as the

county board of commissioners may determine to be necessary. He shall execute the orders and policies of the commission, but no authority is denied the other members of the commission, nor is the chairman vested with greater power than his fellow members, but for convenience and better business methods, concentration of execution is delegated to the chairman rather than the entire commission. *Provided,* that in the case of incapacity of the chairman his duties shall, with the consent of the entire Lee County Legislative Delegation, devolve upon the other members of the county board until a chairman is again chosen.

SECTION 11. The county board of commissioners shall have full supervision of the county chain gang and there shall be paid out of the funds appropriated for dieting county gang prisoners, upon itemized statements properly verified by seller and approved by the board, the actual cost of food, fuel, water and lights necessary for the proper dieting of prisoners. *Provided,* however, such cost shall not exceed the sum of eighty cents per day for each prisoner confined on the chain gang, and the superintendent of roads shall file a monthly report showing an itemized list of all prisoners confined on the chain gang, the exact number of days each prisoner spent on the chain gang that month and the total maximum authorized cost based on the number of prisoners at the rate of eighty cents per day. No bill in excess of the maximum authorized cost shall be paid except with the written approval of the Lee County Legislative Delegation.

SECTION 12. The county board of commissioners shall pay out of the appropriation for extra food for gang employees, upon itemized statement properly verified by seller and approved by the board, the actual cost of extra food for meals of gang employees while on duty; *provided,* however, such cost shall not exceed the sum of fifteen dollars per month for each employee.

SECTION 13. The Board of County Commissioners of Lee County is hereby authorized to borrow, upon the written approval of the Lee County Legislative Delegation, not exceeding ninety per cent of the amount to be raised by taxation by the above levy, on note or notes to be executed by the chairman of the board and the County Treasurer of Lee County, which notes when so executed shall be a first lien on all taxes to be raised by the levy.

SECTION 14. The provisions of Section 20-32 of the 1962 Code, and acts amendatory thereto, so far as the same shall effect the pay-

ment of fifty cents on each marriage license fee by the Judge of Probate of Lee County unto the Treasurer of Lee County, are hereby repealed for this fiscal year only and the Probate Judge of Lee County is hereby authorized and directed to retain the full marriage license fee for each marriage license issued by him.

SECTION 15. Each magistrate is hereby required to account to and pay the county treasurer on or before the tenth day of each month for all fines and monies collected by him as magistrate during the preceding month and file a written report with the county board of commissioners, showing all criminal cases brought before him and their disposition, and no magistrate shall be paid his monthly salary until such monthly accounting and report is made.

SECTION 16. The sheriff shall have full supervision of the county jail and there shall be paid out of the funds appropriated for dieting jail prisoners, upon itemized statements properly verified by seller and approved by the sheriff, the actual cost of food, fuel, water and lights necessary for the proper dieting of prisoners; *provided,* such food cost shall not exceed the sum of eighty cents per day for each prisoner confined in the jail, and the jailor shall file a monthly written report showing an itemized list of all prisoners confined in the jail and the exact number of days each prisoner spent in the jail that month, and the total maximum authorized cost based on the number of prisoner days at the rate of eighty cents per day. No bill in excess of such maximum authorized cost shall be paid except with the written approval of the Lee County Legislative Delegation.

SECTION 17. The county board of commissioners shall also pay out of funds appropriated the actual cost of all necessary clothing, fuel, bedding and other camp equipment, and the superintendent of roads shall have a trusty, or trusties, prepare and cook the food, keep the camp and stockade clean and well heated, and the bedding and clothing in good order.

SECTION 18. The county board of commissioners is hereby directed at least once each month to have a suitable detail of gang prisoners thoroughly clean the county courthouse and grounds and the Lee County Memorial Hospital Grounds.

SECTION 19. The amount herein appropriated shall be spent over the entire period of this act, as near equally per month as possible, and any officer or employee who shall contract for or spend in excess

of the appropriation for his department shall be subject to removal by the Governor, upon the written recommendation of the entire legislative delegation, and any such purchase or expenditure in excess of the sum so appropriated shall not be an obligation of Lee County and is null and void.

SECTION 20. The amounts listed herein for the payment of each of the clerks in the office of county commissioners, sheriff, auditor, probate judge, clerk of court, and treasurer are for the clerks of such offices, on March first, of this fiscal year; and in case a new clerk is placed in any of such offices, his or her salary shall be approved by the Lee County Legislative Delegation.

SECTION 21. The amounts herein listed for additional salary-County Agent, and additional salary-Assistant County Agent, are for the present County Agent and the present Assistant County Agent and in case a new person is placed in either position, the additional salary shall not be paid until and unless the salary be first approved by the Lee County Legislative Delegation.

SECTION 22. All taxes and indirect revenue collected for ordinary county purposes during the fiscal year 1964-1965, in excess of the amount necessary to pay appropriations for the fiscal year 1964-1965, shall be disbursed by the County Board of Commissioners of Lee County upon the written authorization of the Lee County Legislative Delegation, on county warrants, and the county treasurer is hereby authorized to honor such warrants and charge the same to ordinary county fund, and any balance remaining on hand on July 1, 1965, shall be used to meet appropriations for the fiscal year 1965-1966, and all taxes and indirect revenues collected for ordinary county purposes during the fiscal year 1965-1966, in excess of the amount necessary to pay appropriations for the fiscal year 1965-1966, shall be disbursed by the County Board of Commissioners of Lee County upon the written authorization of the Lee County Legislative Delegation, on county warrants, and the county treasurer is hereby authorized to honor such warrants and charge the same to ordinary county fund.

SECTION 23. Any and all unused balances in any and all accounts for the fiscal year 1964-1965 shall be automatically transferred to the contingent fund account for the fiscal year 1965-1966.

SECTION 24. The County Board of Commissioners of Lee County is hereby authorized to refinance any existing indebtedness of Lee

County evidenced by notes or bond issues, where a material saving in interest can be had, and any note or notes given for such purpose shall be executed by the chairman of the board and the Treasurer of Lee County, and when so executed shall be a first lien on all taxes levied or to be levied for the purpose of the original note or bond issue so refinanced.

SECTION 25. The County Board of Commissioners of Lee County is hereby authorized and directed to terminate, with or without notice, the appointment of any cotton weigher appointed by the board in the event such cotton weigher fails to properly perform his duties as determined by the Lee County Marketing Commission by majority vote.

SECTION 26. The County Board of Commissioners of Lee County is hereby authorized to use, as it deems necessary, general relief or general assistance funds for general relief of indigent citizens, but care shall be used that only absolute charity patients receive relief funds.

SECTION 27. The County Board of Commissioners of Lee County is hereby authorized and directed to allow the use, from month to month, of such portion of the unused open land on the county farm as the county board of commissioners may deem necessary for an airport at Bishopville, and such commission shall supervise the use of the airport and the construction of any hangar or hangars thereon.

SECTION 28. The Lee County Legislative Delegation is hereby authorized to have an audit made, covering the fiscal year 1964-1965, of any and all offices and departments of Lee County and shall pay for same out of the County Contingent Fund.

SECTION 29. Every county officer and employee is prohibited from making any purchase for Lee County from any officer or employee of Lee County, and no purchase so made shall be an obligation of Lee County, and no county officer or employee shall use any county property for his own use, but only for necessary official use.

SECTION 30. The county treasurer is directed, upon the written authorization of the Lee County Legislative Delegation, to set aside and transfer as much of the county surplus funds as in the opinion of the Lee County Legislative Delegation may be proper for the construction of any public improvements designated by the delegation,

and as much of such surplus funds as in the opinion of the Lee County Legislative Delegation, by written order, may be needed for ordinary county purposes.

SECTION 31. The various officers and employees of the county are hereby directed to file with the Chairman of the Lee County Legislative Delegation and the Chairman of the County Board of Commissioners of Lee County duplicate quarterly reports showing the status of such office or department and such other information as the county board or the Lee County Legislative Delegation may request. If any officer or employee fails to file such quarterly report within fifteen days after the end of each quarter, the county board of commissioners is hereby directed to withhold payment of salary of such officer or employee until such officer or employee files such quarterly report, as provided herein.

SECTION 32. The words "Lee County Legislative Delegation", as used in this act, mean the Senator and the member of the House of Representatives from Lee County, unless the context clearly shows otherwise.

SECTION 33. No office equipment, furniture, fixtures, nor any machinery, tractors, road patrols, trucks, automobiles, or any other heavy machinery, shall be purchased out of county funds by any officer or employee of Lee County without the written approval of the Lee County Legislative Delegation.

SECTION 34. The Auditor of Lee County is hereby authorized and directed to levy and the Treasurer of Lee County is hereby authorized and directed to collect six mills additional upon all of the taxable property of Lee County, to assist in the operation of the Lee County Memorial Hospital. Such funds are to be credited to the Lee County Memorial Hospital Account, and are to be transferred to the account of the Treasurer of Lee County Memorial Hospital Commission at the rate of two thousand two hundred and fifty dollars per month. Any funds in excess of the above amount may be transferred to the General Fund by written order of the Legislative Delegation.

SECTION 35. Every officer and employee of every board, commission or department of Lee County and its school system shall pay at the earliest possible date all past due taxes due Lee County, and the Sheriff of Lee County is hereby directed to mail to the Lee County Legislative Delegation and the County Board of Commis-

sioners immediately after July 1, 1965, a statement of all past due taxes of every such officer or employee.

SECTION 36. The funds provided for uniforms for law enforcement officers shall be disbursed by the county treasurer only upon properly receipted invoices showing that the individual policeman has actually purchased the equipment for which he is being reimbursed.

SECTION 37. This act shall take effect upon approval by the Governor.

Approved the 1st day of June, 1965.

(R559, H1771)

No. 668

An Act To Authorize The Mayor And Town Council Of The Town Of Bishopville In Lee County To Borrow One Hundred Fifty Thousand Dollars For The Extension Of The Water System And To Provide For Payment Of The Loan.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Town of Bishopville may borrow money.—The Mayor and Town Council of the Town of Bishopville in Lee County are authorized to borrow from the Division of General Services one hundred fifty thousand dollars, if so much be necessary, for the purpose of extending the water system. The indebtedness shall be evidenced by a note executed by the mayor and town clerk and treasurer. The indebtedness shall be repayable in five equal annual installments, together with interest thereon, at the rate of not more than four per cent per annum.

SECTION 2. Payment.—The revenue derived from the added facilities and the full faith, credit and taxing power of the town are hereby irrevocably pledged for the payment of the note and interest thereon, and there shall be levied and collected annually a tax in an amount sufficient to pay each installment with interest.

SECTION 3. Payment further.—Should there be default in any payment, the State Treasurer is directed to withhold any funds accruing to the town and to deposit such amount to the credit of the Division of General Services of the Budget and Control Board.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R172, H1271) **No. 669**

An Act To Provide For The Levy Of Taxes For Ordinary County Purposes In Lexington County For The Fiscal Year Beginning July 1, 1965, And To Provide For The Expenditure Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. There is hereby levied from July 1, 1965, through June 30, 1966, a tax of seven mills, or an additional amount if necessary, on all taxable property in Lexington County for county purposes which, together with all further sums available for such purposes, shall be used for the payment of the items hereinafter set forth; *provided,* that all salaries herein appropriated shall be paid in monthly installments, with the exception of the Welfare Board, and the total of such items, other than salaries, shall be expended only as so much be necessary.

Item 1. Administrative Department:		
A. County Auditor:		
1. County Auditor (county's part) salary	$	3,008.72
2. Deputy Clerk to County Auditor		4,168.45
3. First Clerk to County Auditor		3,391.63
4. Second Clerk to County Auditor		3,049.20
5. Third Clerk to County Auditor		2,761.00
6. Fourth Clerk to County Auditor		2,541.00
7. Travel County Auditor		600.00
8. Part-time Clerical Assistance		1,500.00
Provided, that the Auditor go to each town in the county for the purpose of taking tax assessments.		
B. Clerk of Court:		
1. Clerk of Court, salary		7,049.12
2. Deputy Clerk of Court		4,686.33
3. First Clerk to Clerk of Court		3,300.00
3a. Court Deputy		3,200.00

4. Second Clerk to Clerk of Court		3,200.00
5. Third Clerk to Clerk of Court		3,200.00
6. Fourth Clerk to Clerk of Court		2,800.00
7. Part-time Clerical Assistance		3,000.00

Provided, that the balance remaining in Item 7 from prior appropriations shall be carried forward to the 1965-66 fiscal year and that that balance, plus the amount herein provided, shall be used for part-time clerical assistance.

C. County Treasurer:		
1. County Treasurer (county's part) salary		3,008.72
2. Deputy County Treasurer		4,168.45
3. First Clerk to County Treasurer (tax)		3,521.10
4. Second Clerk to County Treasurer (fee)		3,521.10
5. Part-time Clerical Assistance		2,400.00
D. Board of Commissioners:		
1. Commissioners' salaries, four at $1,485.00		5,940.00
2. Clerk to County Commissioners, salary		4,919.86
3. Assistant Clerk to County Commissioners		2,783.00
4. Travel, County Commissioners, three at $1,400.00, Chairman at $1,700.00		5,900.00
5. Secretary to Delegation		3,000.00
Item 2. Judicial Department:		
A. Jurors, witnesses and bailiffs	$	18,000.00

Provided, that all court attaches, petit jurors and jurors of the court of general sessions and the court of common pleas shall be paid at the rate of seven dollars per diem; *provided,* further, that the court crier and chief bailiff shall be paid at the rate of eleven dollars per diem. *Provided,* further, that all jurors shall be paid mileage at the rate of five cents per mile per day in traveling to and from court.

B. Probate Court:		
1. Probate Judge, salary		7,049.12
2. Deputy to Probate Judge		3,391.63
3. First Clerk to Probate Judge		2,761.00

Provided, that the salary of the Probate Judge shall be in lieu of all fees, which fees shall be paid to the general fund of the county.

C. Juvenile-Domestic Relations Court:

1. Judge's salary	8,297.42
2. Probation Officer	5,040.00
3. Clerk-Stenographer	3,617.90
4. Clerk	2,510.00
5. Travel for Probation Officer	1,200.00

D. Salaries of Magistrates:

District No. 1	3,509.00
District No. 2	3,146.00
District No. 3	3,146.00
District No. 4	3,146.00
District No. 5	3,146.00
District No. 6	3,146.00

Provided, that during the week days each magistrate shall have regular office hours of a minimum of two hours per day and shall give public notice of such hours.

E. Salaries of Magistrates' Constables:

District No. 1,	Salary	$ 3,949.44	
	Travel	800.00	4,749.44
District No. 2,	Salary	3,949.44	
	Travel	800.00	4,749.44
District No. 3,	Salary	3,949.44	
	Travel	800.00	4,749.44
District No. 4,	Salary	3,949.44	
	Travel	800.00	4,749.44
District No. 5,	Salary	3,949.44	
	Travel	800.00	4,749.44
District No. 6,	Salary	3,949.44	
	Travel	800.00	4,749.44

Provided, that the Constables shall be employed full time and be equipped with a car radio and shall police and patrol the district under the direction and control of the Sheriff's office when

not otherwise engaged in official business attendant to the office of Magistrate.

Provided, further, that all Constables shall relieve the Sheriff's office for night duty under the direction and control of the Sheriff's Department when called upon by the Sheriff to do so, but not more often than once every three weeks.

Provided, further, that all Magistrates' Constables, to be qualified to receive the salaries herein set forth, shall be qualified graduates of the South Carolina Law Enforcement Division School for Officers and all Constables subsequently appointed must within one year after their appointment become graduates of the school for officers, and certificate of completion presented to the Board of Commissioners.

Provided, further, that travel, gasoline, uniforms and radio will not be provided to any Constable who elected by July 1, 1965, not to meet the provisions set forth above, such election shall be in writing and submitted to the County Board of Commissioners not later than July 1, 1965.

Provided, further, any new Constable shall make the election upon appointment.

F. Coroner:

1. Coroner's salary	2,500.00
2. Coroner's travel	1,200.00

Provided, that all death certificates shall be signed by a competent medical doctor after the doctor has examined the body of the deceased, for which services the doctor shall receive a fee of not more than twenty-five dollars. This only applies to instances where the Coroner is called to investigate a death.

3. Post mortems, inquests	1,200.00
4. Medical services	2,000.00
5. Lunacy	500.00

Item 3. Law Enforcement:

A. Office of Sheriff:

1. Salary	$ 7,049.12
2. Travel expense	1,200.00

B. Deputy Sheriffs:

1. Salary of Deputy Sheriffs, eight at $4,572.65 each per annum and one chief deputy at $4,823-.28 ..... 41,404.48
2. Travel expense, nine at $1,200.00 per annum ... 10,800.00
3. (a) Purchase of gasoline and oil 12,000.00
   (b) Service of radio agreement 2,000.00
   (c) Repairs to radio 1,000.00
4. Uniforms for Deputy Sheriffs and Jailors 2,000.00

Provided, that the chief deputy so designated by the Sheriff shall have full authority to act for and in behalf of the Sheriff in the absence of the Sheriff.

Provided, further, that sums herein appropriated for travel expenses for the Sheriff and his Deputies shall be the only sum paid to the Sheriff and his Deputies for travel expenses in criminal matters and they shall not receive extra pay for the transferring or transporting of prisoners and insane persons, the same being in the regular line of duty.

Provided, further, to be eligible to receive the salaries herein provided, all Deputy Sheriffs must within one year after his or their appointment be graduated from the Law Enforcement School for Officers.

C. Jail:

1. Jail Expenses 16,000.00
2. Jailor 3,200.00
3. Jailor 3,000.00
4. Jailor 3,000.00
5. Clerk to Sheriff's Department 2,510.00

D. Office of Tax Collector:

1. Salary of Deputy Tax Collector 3,391.63
2. Clerk to Tax Collector 2,541.00

Item 4. Public Works, Roads and Bridges:

A. District salaries of employees and maintenance expenses:

District No. 1 ..... $ 56,000.00
District No. 2 ..... 51,000.00

District No. 3 ..... 50,000.00
District No. 4 ..... 29,000.00

B. Depreciation reserve for purchase of new machinery 70,000.00

Provided, that Item A shall be expended only upon approval of a majority of the Board of Commissioners.

Provided, further, that Item B shall be expended only for needed machinery and only upon approval in writing of a majority of the County Board of Commissioners in meeting assembled and any balance remaining shall be carried forward to the next fiscal year.

Provided, further, the Board of Commissioners shall be responsible for furnishing labor for janitorial services for the county courthouse and Memorial Office Building.

Provided, further, that the Commissioners shall not expend or obligate to expend more than one-half of the amounts herein appropriated prior to January 1, 1966.

Item 5. Social Welfare:

A. Supplemental salary for members of the Lexington County Public Welfare Board, to be paid semiannually ..... $ 798.60

Provided, that the members of the board shall be paid semiannually.

B. Approved emergency and charity relief 38,000.00

Provided, that claims for the care of medically indigent persons by eleemosynary institutions shall be equitably discharged from the amount above-appropriated.

C. Payment on Rest Home at $1,000.00 per month 12,000.00

Provided, however, that an additional amount equal to $41,000.00, plus interest, is hereby appropriated for payment of the outstanding balance in full on new building at Rest Home.

D. Lexington County Health Department 55,343.20

E. Committee to study county fire system expenses . 1,000.00

Item 6.	Courthouse and Offices:	
	A. Insurance (public buildings)	$ 3,600.00
	B. Telephone	8,500.00
	C. Water, lights and fuel	13,200.00
	D. Maintenance Engineer and Purchasing Agent	5,280.00
	1. Clerk to Purchasing Agent	2,640.00
	2. Cleaning and toilet supplies	5,500.00
	3. Buildings:	
	(a) Permanent improvements	4,500.00
	(b) Repairs and maintenance	3,000.00
	(c) Premaintenance expenses Memorial building	504.00
	4. Equipment repairs and maintenance	1,000.00
	5. New equipment (office)	4,500.00
	(a) Machine service contracts	1,800.00
	E. Premium on bonds for county officials	1,500.00
	F. Workmen's Compensation Insurance (not to be spent if paid for by State)	3,100.00
	G. Printing, stamps and stationery for county offices	25,000.00
	H. Janitor of County buildings (Health centers)	2,451.46
	1. Travel to health centers, to be paid monthly	480.00
	I. Board of Equalization	4,000.00
	Provided, that this shall be expended only upon approval of a majority of the Legislative Delegation.	
	J. Board of Registration	2,640.00
	Provided, that not more than one-fourth of the amount appropriated shall be expended without approval of a majority of the Legislative Delegation.	
	K. Supplemental salary to County Agent	396.00
	1. Salary to Assistant County Agent	330.00
	2. Salary to Associate County Agent	396.00
	3. Clerk to County Agent supplement	660.00
	L. Supplemental salary to Home Demonstration Agent	396.00
	1. Clerk to Demonstration Agent	660.00
	M. Secretary to County Service Officer	3,003.22
	N. Travel for Service Officer	900.00

O. There is hereby created the office of Lexington County Civil Defense, the funds appropriated herein to be used in conjunction with matching funds to be received from the United States of America for personnel and operation of the office of Civil Defense of Lexington County 5,000.00

Item 7. County Board of Education:
There shall be paid through the office of the County Superintendent of Education the following:

A. Salary and travel for County Board of Education ..... $ 1,000.00
B. Supplemental salary, Superintendent of Education 2,044.04
1. Travel for Superintendent of Education 200.00
C. Clerk to Superintendent of Education 4,168.45
1. Second Clerk to Superintendent of Education .. 2,541.00
D. Supplement School Lunch Fund 1,480.00
E. Circulating Library Fund 46,870.00
F. There is hereby appropriated the sum of $20,000.00 for construction of a County Circulating Library to be located in the Batesburg-Leesville area; *provided,* however, that the remainder of the construction cost and site is provided from other sources 20,000.00

Item 8. County Attorney ..... $ 1,684.32

Provided, that the County Attorney shall be elected by a majority vote of the County Delegation of Lexington County and he shall be paid a retainer's fee of one hundred forty dollars and thirty-six cents per month out of the above appropriation and by being so retained he shall be available to any and all county officials at any time they need his legal advice.

Provided, however, for extra work done, such as preparing pleadings, making appearances in court and trying cases, he shall be paid additional fees for such extra services in line with fees charged by members of the Bar Association of Lexington County for similar services.

Item 9. Miscellaneous:

A. Miscellaneous Contingent	$ 75,000.00

Provided, that any claims or items payable from the miscellaneous contingent fund herein appropriated shall be approved by a majority of the county legislative delegation, including the Senator, and upon such approval the Board of Commissioners and the clerk of the board are hereby authorized to issue vouchers for same; *provided,* however, that a sum not exceeding eight thousand dollars in the aggregate amount of the appropriation herein made may be expended upon the approval of a majority of the members of the Board of County Commissioners; *provided,* further, that from this amount may be paid the actual expenses incurred for the apprehension and return of escaped prisoners from Lexington County, or any other suspect of a criminal nature from without the boundaries of the State of South Carolina, which return has been approved by the Board of County Commissioners.

B. 4-H Boys' Club	150.00
C. 4-H Girls' Club	150.00
D. Future Farmers of America (white chapter)	250.00
E. Women's Home Demonstration Camp	75.00
F. Demonstration Supplies for Home Agent	100.00
G. Batesburg-Leesville National Guard Unit	1,000.00
H. West Columbia National Guard Unit	1,000.00
I. Lexington National Guard Unit	1,000.00
J. Lexington County Supervisors, Lexington Soil Conservation District, Lexington County	500.00
1. Soil and Water Conservation Assistance	1,200.00
K. West Columbia Rescue Squad	250.00
L. Swansea Rescue Squad	250.00
M. Leesville Rescue Squad	250.00
N. American Legion Junior Baseball Program	500.00
O. West Columbia-Cayce, Lexington and Batesburg-Leesville Chamber of Commerce at $750.00 each	2,250.00
P. Cooperative Breeders' Association	1,200.00

Q. Aid to Mental Health	1,000.00
R. Hearing and Speech Clinic	1,000.00
Total	$943,907.91

SECTION 2. All salaries as fixed in this act shall be in lieu of any and all fees or commissions from any source for services performed during the hours the courthouse is open, and the acceptance of the same by any county official or employee while engaged in county business shall cause the salary of the county official or employee to be reduced accordingly; *provided,* however, that the magistrates and magistrates' constables shall have the right to charge the legal rate for their services in all civil matters and retain such fees, which charges shall be collected from the parties to the civil matters.

SECTION 3. Funds appropriated herein shall be expended according to the following provisions:

(a) The legislative delegation shall have the authority to authorize an audit of Lexington County affairs when they deem advisable and the county commissioners and county treasurer shall pay for the same from any county ordinary fund on hand in an amount to be determined by those authorizing the audit.

(b) The withholding tax and insurance premiums collected through the county commissioner's office, including county officials and employees, may be paid by the commissioners from ordinary county funds; *provided,* this amount shall be equivalent to the withholding tax and insurance premiums deducted from the salary of each official and employee of the county.

(c) The county commissioners are hereby required to keep a separate account covering the various items of the appropriations act and not to exceed in expenditure the amount herein provided for each item; and for any excess allowed or permitted, such officers shall be held liable on their official bond. It shall be unlawful for any county commissioner or other officers of the county government to purchase, bargain for or contract for any materials or services which would create a deficit in any item or provision hereof within the time covered by this act.

(d) The clerk of the county board of commissioners shall make quarterly statements of expenditures and balances of the different items and send a statement to each member of the board of commissioners and to each member of the legislative delegation.

(e) The county treasurer is hereby authorized and directed to publish in the county newspapers a statement reflecting the financial condition of Lexington County as of December 31, 1965, and June 30, 1966, and is further directed at the same time to publish a list of all claims paid under this appropriations act.

(f) The county treasurer and county board of commissioners are hereby authorized to borrow a sum of money not to exceed one hundred thousand dollars, if so much be necessary, to meet the appropriations herein made should such be necessary for lack of funds arising from revenue now in sight. The same shall be borrowed at the best obtainable rate and terms.

SECTION 4. All appropriations herein made are subject to the right and authority of the legislative delegation to alter, increase, deduct therefrom or transfer funds from one account to another at any time without notice when, in its judgment, such alterations, increases, deductions or transfers are necessary for the best interests of the county and to conform with the revenue expected during the life of this act. All funds provided for herein which are not expended by June 30, 1966, shall revert to the county ordinary account.

SECTION 5. All county public buildings shall be under the control and custody of the Lexington County Board of Commissioners. Salaries of all chain gang employees shall be under the control of the Lexington County Board of Commissioners.

SECTION 6. The Lexington County Board of Commissioners is hereby authorized and directed to pay out of the ordinary county funds of Lexington County a sufficient sum to match other available funds for the retirement of all county officials or employees as is now provided by law under the Retirement Act and the Social Security Act.

SECTION 7. In the event of the death or resignation of any county official, or the death, resignation or discharge of any county employee, the appropriations herein made to that particular county official as salary or to that particular county employee as salary shall, immediately upon such death, resignation or discharge, be transferred to the miscellaneous contingent fund and a new salary schedule shall be provided from the miscellaneous contingent fund, not to exceed the amount herein appropriated for such official or salary of county employees, by a majority of the Lexington County Legislative Delegation.

SECTION 8. (a) There is hereby established in Lexington County the office of county purchasing agent who shall be responsible for the

purchase of all items as needed and necessary for the operation of county business. All items purchased by funds appropriated hereunder shall first be requisitioned by the several departments from the county purchasing agent on the forms to be supplied to the several departments by the county purchasing agent.

(b) Purchases for all county agencies and subdivisions, except food for prisoners, shall be made through the county purchasing agent, which agent shall, where feasible, utilize all items available through the State purchasing agent on State bid prices.

(c) No expenditure in excess of one hundred dollars for the purchase of any equipment, materials or supplies shall be made, unless through regular contractual services, unless first let by sealed bid after advertisement in a county newspaper of general circulation (except parts needed for repairing equipment), and all things being equal, the purchase shall be made from the person, firm or corporation submitting the low bid. *Provided,* that all things being equal, all purchases for and in behalf of the county shall be made from Lexington County firms and businesses.

(d) The purchasing agent is authorized upon request of the mayor and council of any corporate municipality to purchase any items through the county at the lowest bid price which will be paid by the county and reimbursed to the county by the municipality. Any funds so used and reimbursed shall revert to the account from which it originally came.

SECTION 9. The Juvenile and Domestic Relations Court of Lexington County shall charge three per cent of all monies collected and disbursed by the court, to be accounted and deposited with the Lexington County Treasurer monthly.

SECTION 10. The Lexington County Auditor is authorized from year to year to assess the necessary millage on all taxable property in Lexington County for the purpose of establishing a note retirement account and that the millage so determined shall be set aside for retirement of note indebtedness on an annual basis.

SECTION 11. This act shall take effect upon approval by the Governor.

Approved the 13th day of March, 1965.

(R473, H1720)

No. 670

An Act To Authorize The Lexington County Board Of Commissioners And The Treasurer Of Lexington County To Borrow A Sum Of Money For County Purposes, And To Provide For The Payment Of The Loan.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Lexington County may borrow money.—The Lexington County Board of Commissioners and the Treasurer of Lexington County are hereby authorized to borrow for general county purposes not exceeding one hundred thousand dollars from the Division of General Services or any lending institution. The amount borrowed shall be evidenced by a note to be executed by the chairman of the board and the treasurer of the county. The note shall bear interest not in excess of four per cent per annum from the date thereof and shall be payable in five or more successive, equal, annual instalments. The first instalment shall be paid twelve months from the date of the note. *Provided,* the borrower reserves the right to anticipate the payment of part or all of the loan on any annual instalment date.

SECTION 2. Payment.—For the payment of the note, the Auditor of Lexington County shall levy, and the Treasurer shall collect, an annual tax on all the taxable property of the county sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the county are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Payment further.—Should there be default in the payment of any instalment, the State Treasurer is authorized and directed to withhold all State funds accruing to the county, which have not heretofore been pledged, for the payment of such instalment and shall transmit the funds so withheld to the Division of General Services, or Lending institution.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 27th day of May, 1965.

(R92, H1185)

No. 671

An Act Providing For The Creation Of Watershed Conservation Districts In McCormick County, And The Election Of Directors Of Watershed Conservation Districts And Their Powers And Duties; And Providing For A Levy Of Taxes For The Organization And Administration Of Such Districts, And For The Construction, Operation And Maintenance Of Works Of Improvement Within Such Districts.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Definitions.—Whenever used or referred to in this act, unless a different meaning clearly appears from the context:

(1) "Watershed conservation district" means a governmental subdivision of this State, and a public body corporate and politic, organized in accordance with the provisions of this act, for the purposes, with the powers, and subject to the restrictions hereinafter set forth.

(2) "Director" means one of the members of the governing body of a watershed conservation district, elected in accordance with the provisions of this act.

(3) "Supervisor" means one of the members of the governing body of the McCormick Soil Conservation District in which any part of a watershed conservation district is situated.

(4) "Petition" means a petition filed under the provisions of Section 4 of this act for the creation of a watershed conservation district.

(5) "County" means McCormick County of South Carolina.

(6) "Landowner" or "owner of land" includes any person, firm or corporation who shall hold legal or equitable title to any lands lying within a watershed conservation district organized under the provisions of this act.

(7) "Due notice" means notice published at least twice, with an interval of at least one week between the two publication dates, in a publication of general circulation within the appropriate area, or, if no such publication of general circulation be available, notice posted at a reasonable number of conspicuous places within the appropriate area, such posting to include, where possible, posting at public places where it is customary to post notices concerning county or municipal affairs generally.

SECTION 2. Watershed conservation districts may be formed in McCormick County.—Authority is hereby granted to form wa-

tershed conservation districts within McCormick County for the purpose of developing and executing plans and programs relating to any phase of the control and prevention of soil erosion, flood prevention, or the conservation, development, utilization, and disposal of water.

SECTION 3. Area.—The area embraced in a watershed conservation district must be contiguous and must lie within a well-defined watershed; and such area shall not include lands located within the boundary of any incorporated city or town, or lands embraced in another watershed conservation district.

SECTION 4. Petition for formation.—When twenty-five or more landowners within a proposed watershed conservation district, or, if less than fifty landowners are involved, a majority of such landowners, desire to form a watershed conservation district, they shall file a petition with the supervisors of the soil conservation district asking that a watershed conservation district be organized to function in the area described in the petition. Such petition shall set forth the proposed name of the watershed conservation district; that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory described in the petition; a description of the territory proposed to be organized as a watershed conservation district, which description need not be given by metes and bounds or by legal subdivisions, but shall be deemed sufficient if generally accurate; and the approximate number of acres of land included in the proposed watershed conservation district.

SECTION 5. Hearing on petition.—(1) Within thirty days after such petition has been filed with the supervisors of the soil conservation district, they shall cause due notice to be given of a hearing upon the question of the desirability and necessity, in the interest of the public health, safety, and welfare, of the creation of such watershed conservation district. All interested parties shall have the right to attend such hearing and to be heard. If it shall appear at the hearing that other lands should be included in the petition or that lands included in the petition should be excluded, the supervisors shall permit such inclusion or exclusion, provided the land area involved still meets the requirements of Section 3 of this act.

(2) If it appears upon the hearing that it may be desirable to include within the proposed watershed conservation district territory

outside of the area within which due notice of the hearing has been given, the hearing shall be adjourned and due notice of a further hearing shall be given throughout the entire area considered for inclusion in the proposed watershed conservation district, and such further hearing shall be held. After final hearing, if the supervisors of the soil conservation district determine, upon the facts presented at the hearing and upon other available information, that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory considered at the hearing, they shall make and record such determination, and shall define the area, but the description need not be given by metes and bounds. The description shall be deemed sufficient if generally accurate and the approximate number of acres of land included in the proposed watershed conservation district is shown.

(3) If the supervisors of the soil conservation district determine after such hearing that there is no need for a watershed conservation district to function in the territory considered at the hearing, they shall make and record such determination and shall deny the petition.

SECTION 6. Referendum.—After the supervisors of the soil conservation district have made and recorded a determination that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory considered at the hearing, and have defined the boundaries thereof, they shall consider the question whether the operation of a watershed conservation district within the proposed boundaries with the powers conferred upon it by this act is administratively practicable and feasible. To assist the supervisors in making this determination, they shall, within a reasonable time after the entry of a finding that there is need for the organization of a watershed conservation district and the determination of the boundaries thereof, hold a referendum within the proposed watershed conservation district upon the proposition of the creation of the watershed conservation district. Due notice of the referendum shall be given by the supervisors. Such notice shall state the date of holding the referendum, the hours of opening and closing the polls, and shall designate one or more places within the proposed watershed conservation district as polling places and shall give notice that the directors shall have the power of eminent domain. The supervisors shall have full charge of the referendum and shall have suitable ballots printed and furnished to each polling place; appoint necessary box managers and other referendum officials, and shall canvass

the referendum and announce the results. The cost of holding the referendum shall be paid from the general fund of McCormick County. *Provided,* that notwithstanding any provision of law to the contrary the power of eminent domain shall not be exercised over the protest of any landowner until it is conclusively established that the land proposed to be condemned is absolutely essential to the creation and operation of the watershed conservation district.

SECTION 7. Question.—The question to be voted on shall be submitted by ballots upon which appear the words:

"For creation of ———— Watershed Conservation District"

"Against creation of ———— Watershed Conservation District"

A square shall follow each proposition. The ballot shall contain a direction to insert an "X" mark in the square following one or the other of the propositions as the voter may favor or oppose creation of the watershed conservation district. The ballot shall set forth the boundaries of the proposed watershed conservation district as determined by the supervisors of the soil conservation district. No one except owners of lands lying within the boundaries of the proposed watershed conservation district, as determined by the supervisors of the soil conservation district, shall be eligible to vote in the referendum. Qualified voters may vote by absentee ballot in the referendum under such rules and regulations as may be prescribed by the supervisors. No informalities in the conduct of the referendum or in any matters relating thereto shall invalidate the referendum or the result thereof if notice of the referendum shall have been given substantially as herein provided and the referendum shall have been fairly conducted.

SECTION 8. Results—district to be created if results and determination favorable.—The votes shall be counted by the referendum officials at the close of the polls and a report of the results along with the ballots shall be delivered and certified to the supervisors of the soil conservation district; and thereafter the supervisors shall determine whether the operation of the watershed conservation district within the defined boundaries is administratively practicable and feasible. If the supervisors determine that the operation of such district is not administratively practicable and feasible, they shall record such determination and deny the petition. If the supervisors determine that the operation of such district is administratively practicable and feasible, they shall record such determination and shall proceed with the organization of such district in the manner hereinafter set forth; *provided,* however, that the supervisors shall not have authority to

determine that the operation of such district is administratively practicable and feasible unless at least a majority of the votes cast in the referendum upon the proposition of the creation of such district shall have been cast in favor of the creation of such district. If the supervisors shall determine that the operation of such district is administratively practicable and feasible, they shall certify such determination to the Clerk of Court of McCormick County and to the Secretary of State. Upon proper recordation of such determination, such watershed conservation district shall constitute a governmental subdivision of this State and a public body corporate and politic. After being recorded, such certification shall be filed with the State Soil Conservation Committee.

SECTION 9. Board of directors to govern district—nominating petitions—election—ballots—terms—officers—bond of treasurer. —(1) The governing body of the watershed conservation district shall consist of five directors, elected as provided herein.

(2) Within thirty days after a watershed conservation district has been created, nominating petitions may be filed with the supervisors of the soil conservation district to nominate candidates for directors of the watershed conservation district. No such nominating petition shall be accepted by the supervisors unless it is signed by twenty-five or more landowners within the watershed conservation district, or, if less than fifty landowners are involved, by a majority of such landowners. If the candidates nominated do not exceed the number of directors to be chosen, the supervisors shall declare them to be elected. No person shall be eligible to be a director of a watershed conservation district who is not a landowner in the watershed conservation district in which he seeks election.

(3) If the candidates nominated for directors of the watershed conservation district exceed the number of directors to be chosen, the supervisors of the soil conservation district shall, after having given due notice thereof, cause an election to be held within the watershed conservation district within a reasonable time after the expiration of the nominating period. The provisions of Sections 5, 6 and 7 of this act as to notice, qualifications of voters, absentee voting, and the manner of holding the referendum in organizing a watershed conservation district, shall apply insofar as practicable to the election of the directors. The names of all qualified nominees shall be printed in alphabetical order upon ballots with a square before each name and a direction to insert an "X" mark in the square be-

fore any five names to indicate the voter's preference. Only landowners within the watershed conservation district shall be eligible to vote in the election. The five candidates who shall receive the largest number respectively of the votes cast in the election shall be the directors of the watershed conservation district, and shall, upon the supervision of the supervisors of the soil conservation district, be the governing body of the watershed conservation district.

(4) Of the directors first elected, the two receiving the largest number of votes shall serve for terms of four years, the two receiving the next largest number of votes shall serve for terms of three years, and the one receiving the next largest number of votes shall serve for a term of two years. The term of office of each of their successors shall be for four years, and until their successors have been appointed or elected and qualify. Vacancies shall be filled in the manner of the original appointment for the unexpired portion of the term only.

(5) The directors shall annually designate from among their number a chairman, secretary, and treasurer. The treasurer shall execute an official bond for the faithful performance of the duties of his office, to be approved by the directors. Such bond shall be executed by a surety company authorized to do business in this State and shall be in an amount determined by the directors. The premium on each bond shall be paid by the watershed conservation district.

SECTION 10. District to be corporate body—powers and duties.—A watershed conservation district organized under the provisions of this act shall constitute a governmental subdivision of this State, and a public body corporate and politic, exercising public powers, and such district and the directors thereof shall, subject to the approval of the supervisors of the soil conservation district, have the following powers, in addition to others granted in other sections of this act:

(1) to acquire, by purchase, exchange, lease, gift, grant, bequest, devise, or otherwise, or through condemnation proceedings in the manner provided in Sections 25-101 through 25-140 and Sections 33-121 through 33-148, Code of Laws of South Carolina, 1962, such lands, easements, or rights-of-way as are needed to carry out any authorized purpose of the watershed conservation district; and to sell, lease, or otherwise dispose of any of its property or interests therein in furtherance of the purposes and provisions of this act;

(2) To construct, reconstruct, repair, enlarge, improve, operate, and maintain such works of improvement as may be necessary or con-

venient for the performance of any of the operations authorized by this act;

(3) To borrow money and to execute promissory notes and other evidences of debt in connection therewith for payment of the costs and expenses of organizing the watershed conservation district or for carrying out any authorized purpose of such district, and if promissory notes are issued, to execute such mortgages on any property owned by such district, or assign or pledge such revenues or assessments of such district as may be required by the lender as security for the repayment of the loan; and to issue, negotiate, and sell its bonds as provided in Section 11 of this act;

(4) To levy an annual tax on the real property within the district subject to the limitations provided in Section 13 of this act for payment of the costs and expenses of organizing the watershed conservation district or for carrying out any authorized purpose of such district. Such levy shall be made only after approval by the supervisors of the soil conservation district and upon notifying the county auditor.

(5) Where watersheds cross county or state lines, the watershed directors are authorized to work with similar organizations in determining cost sharing to solve common problems.

SECTION 11. Bonds not to be issued unless referendum held.—(1) Bonds authorized by Section 10 of this act shall not be issued until proposed by order or resolution of the directors of the watershed conservation district, specifying the purpose for which the funds are to be used and the proposed undertaking, the amount of bonds to be issued, the rate of interest they are to bear, and the amount of any necessary tax levy in excess of the maximum authorized in Section 13 of this act. A copy of the order or resolution shall be certified to the supervisors of the soil conservation district.

(2) The supervisors shall hold a hearing on such proposal after having given due notice. If it appears that the proposal is within the scope and purpose of this act and meets all other requirements of the law, the proposal shall be submitted to the landowners of the district by a referendum held by the supervisors.

(3) The provisions of Sections 5, 6 and 7 of this act as to notice, qualifications of voters, absentee voting, and manner of holding the referendum in organizing a watershed conservation district shall apply to the referendum held under this section.

(4) If two-thirds of the votes cast in such referendum favor the proposal, the directors shall, with the approval of the supervisors, be authorized to issue such bonds.

SECTION 12. Compensation.—The directors of the watershed conservation district shall receive no compensation for their services, but they may be reimbursed for expenses, including traveling expenses, necessarily incurred in the performance of their duties as approved by the supervisors of the soil conservation district.

SECTION 13. Budget—tax levy.—Within the first quarter of each calendar year, the directors of the watershed conservation district shall prepare an itemized budget of the funds needed for administration of the watershed conservation district and for construction, operation and maintenance of works of improvement. After approval of such budget by the supervisors of the soil conservation district, the county auditor shall levy a tax sufficient to meet such budget on all real property within the watershed conservation district of not to exceed five mills on each dollar of assessed valuation, except that this limitation shall not apply to any levy necessary to provide a sinking fund for the retirement of bonds authorized by Section 11 of this act. A copy of such budget shall be certified to the Auditor of McCormick County.

SECTION 14. List of landowners and acres subject to assessment.—(1) The directors of the watershed conservation district, with the assistance of the county auditor, shall prepare a list of the landowners involved showing the number of acres subject to assessment.

(2) When the property tax rolls are delivered to the county treasurer by the county auditor, as required by law, the county treasurer shall compute the tax due the watershed conservation district from each landowner in accordance with the rate fixed by the directors and the value of the real property indicated on the tax roll. The computation shall be made on the regular tax bills.

SECTION 15. Collection of taxes.—(1) The county treasurer shall collect the taxes due the watershed conservation district at the same time and in the same manner as he collects other taxes of the county.

(2) The taxes shall be subject to the same due and delinquency dates, discounts, penalties and interests as are applied to the collection of county taxes.

SECTION 16. Expenditures.—Tax funds collected shall be transferred to and held by the treasurer of the watershed conservation district for the specific purpose for which they have been collected.

All expenditures of such funds shall be made by the directors of the watershed conservation district with the approval of the supervisors of the soil conservation district.

SECTION 17. Petition to have lands detached.—The owners of lands which have not been, are not and cannot be benefited by their inclusion in the watershed conservation district may petition the supervisors of the soil conservation district to have such lands detached. The petition shall describe such lands and state the reasons why they should be detached. A hearing shall be held by the supervisors within thirty days after the petition is filed and due notice of such hearing shall be given by the supervisors. If it is determined by the supervisors that such lands shall be detached, such determination shall be certified to the Auditor of McCormick County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee.

SECTION 18. Petition for discontinuance of district—hearing—referendum—discontinuance if election and determination favorable.—(1) At any time after five years after the organization of a watershed conservation district, twenty-five or more landowners within such district, or if less than fifty landowners are involved, a majority of such landowners, may file a petition with the supervisors of the soil conservation district asking that the existence of the watershed conservation district be discontinued. The petition shall state the reasons for discontinuance, and that all obligations of the watershed conservation district have been met. The supervisors may conduct such hearings upon the petition as may be necessary to assist them in the consideration thereof.

(2) Within sixty days after such petition has been filed with the supervisors they shall give due notice of the holding of a referendum. The supervisors shall hold such referendum substantially as provided for in Section 11 of this act. The question shall be submitted by ballots upon which the words "For terminating the existence of the ———— Watershed Conservation District" and "Against terminating the existence of the ———— Wastershed Conservation District" shall be printed, with a square before each proposition and a direction to insert an "X" mark in the square before one or the other of the propositions as the voter may favor or oppose the discontinuance of such watershed conservation district. Only landowners within the watershed conservation district shall be eligible to vote in such referendum. No informality in the conduct of the

referendum or in any matters relating thereto shall invalidate the referendum or the results thereof if notice of the referendum shall have been given substantially as herein provided and the referendum shall have been fairly conducted.

(3) The supervisors shall publish the results of the referendum and shall thereafter determine whether the continued operation of the watershed conservation district is administratively practicable and feasible. If the supervisors determine that the continued operation of the watershed conservation district is administratively practicable and feasible, they shall record such determination and deny the petition. If the supervisors determine that the continued operation of the watershed conservation district is not administratively practicable and feasible, they shall record such determination and shall certify such determination to the directors of the watershed conservation district; *provided,* however, that the supervisors shall not be authorized to determine that the continued operation of the watershed conservation district is administratively practicable and feasible unless at least a majority of the votes cast in the referendum shall have been cast in favor of the continuance of the watershed conservation district.

(4) Upon receipt from the supervisors of a certification that they have determined that the continued operation of the watershed conservation district is not administratively practicable and feasible, the directors shall forthwith proceed to terminate the affairs of the watershed conservation district. A copy of the determination shall be certified to the Auditor of McCormick County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee.

SECTION 19. Supervisory authority if district discontinued.—If the McCormick County Soil Conservation District is discontinued, all supervisory authority over the affairs of the watershed conservation district which was previously exercised by the supervisors shall thereafter be exercised by the governing body of McCormick County.

SECTION 20. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of February, 1965.

(R581, H1711)

No. 672

An Act To Provide For The Levy Of Taxes For Ordinary County Purposes For McCormick County For The Fiscal Year Beginning July 1, 1965, And Ending June 30, 1966, And Providing For The Expenditure Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The following appropriations are made for McCormick County for a period of one year, beginning July 1, 1965 and ending June 30, 1966.

Item A.	For the construction and maintenance of county roads, bridges, dieting, clothing and maintenance of chain gang prisoners. Also salary for two overseers or guards	$ 26,000.00
	Provided, that the Supervisor or County Board of Commissioners shall employ no other help than provided for herein unless authorized by the county delegation.	
	Office Clerk	2,900.00
	Total Item A	$ 28,900.00
Item B.	Salaries:	
	Clerk of Court	$ 4,320.00
	Provided, however, that the clerk of court shall comply with Act No. 770 passed by the Legislature of South Carolina in 1936 and carried in the Act of 1936 at pages 1449 and 1450 before he shall be entitled to such salary.	
	Clerk to Clerk of Court	2,900.00
	Treasurer	917.00
	Clerk to Treasurer	2,900.00
	Auditor	917.00
	Clerk to Auditor (12 months)	2,900.00
	Coroner	433.00
	Coroner—Travel Expense	120.00
	County Physician	150.00
	Two County Commissioners at $433.00 each	866.00
	Judge of Probate	2,163.00
	County Attorney	433.00
	Magistrate at McCormick	2,163.00

Magistrate at Willington	907.50
Magistrate at Parksville	907.50
Sheriff, salary	4,500.00
Sheriff, expense account	300.00
Two Deputy Sheriffs' Salary at $3,212.00 each	6,424.00
Two Deputy Sheriffs' Expense Fund at $800.00 each	1,600.00
Two Deputy Sheriffs' Uniform allowance at $250.00 each	500.00
Provided, the amount to be paid in equal monthly payments without the necessity of itemizing the same.	
Night Jailer	2,520.00
Provided, that the sheriff or his deputies shall serve warrants for the county magistrates and one of the deputies, to be designated by the sheriff, shall also serve as magistrates' constables.	
Travel expenses and maintenance of automobiles for sheriff's office, if so much be necessary	2,400.00
Supervisor, salary and traveling expenses for supervisor who shall furnish his own car, the amount to be paid in equal monthly payments without the necessity of itemizing same	4,410.00
Tax Collector	1,180.00
Tax Collector's expenses, who shall furnish his own car, to be paid in equal monthly payments	1,800.00
Janitorial Service	3,100.00
Provided, the janitors or janitor and maid shall be selected and supervised by the custodian of the county courthouse and custodian of the county office building. *Provided,* further, however, if they are unable to select such help, the county board of commissioners shall make such selection or selections.	
Total Item B	$ 51,731.00
Item C. County:	
County Board of Equalization	750.00
Vital Statistics	100.00
Total Item C	$ 850.00

Item D.	Jail Expenses: To include only the dieting of prisoners at $1.25 per day, electric current and repairs, if so much be necessary	1,500.00
	Provided, records of prisoners' entrance and release shall be kept and such records shall be subject to annual audit.	
	Total Item D	$ 1,500.00
Item E.	Jurors and witnesses and court expenses: *Provided,* that grand jurors and petit jurors shall be paid at the rate of ten dollars per day and mileage. *Provided,* further, that magistrates' and coroner's jurors shall be paid at the rate of two dollars and fifty cents per day upon the authorization of the magistrate or coroner	$ 4,000.00
	Provided, further, the taking of testimony in magistrate's court and coroner's inquests shall be paid from this fund upon the authorization of the magistrate or coroner.	
	Total Item E	$ 4,000.00
Item F.	Post mortems, inquests, autopsies and lunacies, if so much be necessary	$ 500.00
	Total Item F	$ 500.00
Item G.	Public buildings, including lights, fuel, water, telephones and other necessary supplies, other than constructing new or making repair of public buildings which shall be approved by the McCormick Building Commission, and cost shall be paid from such amount as the commission and county delegation shall designate	$ 9,000.00
	Total Item G	$ 9,000.00
Item H.	Printing, postage, stationery and office supplies	$ 3,000.00
	Total Item H	$ 3,000.00
Item I.	Annual audit to county books from June 30, 1964, to July 1, 1965, if so much be necessary	$ 600.00
	Total Item I	$ 600.00

Item J.	Premiums on officers' bonds and workmen's compensation premiums, when such premiums are certified to and in order, if so much be necessary	$ 1,000.00
	Total Item J	$ 1,000.00
Item K.	Miscellaneous Contingent Fund: To be expended only in case of emergency and only then upon the written approval of the legislative delegation	$ 60,000.00
	Total Item K	$ 60,000.00
Item L.	County Health Unit, if so much be necessary	$ 3,000.00
	Total Item L	$ 3,000.00
Item M.	Public Welfare	$ 7,000.00
	Provided, such funds shall be kept separate to facilitate annual audit.	
	Total Item M	$ 7,000.00
Item N.	Library Board	$ 1,200.00
	Provided, that this sum shall be paid upon the authorization of the secretary-treasurer of the library board.	
	Total Item N	$ 1,200.00
Item O.	Police Insurance	$ 1,200.00
	Total Item O	$ 1,200.00
Item P.	Retirement (County's part)	$ 3,200.00
	Total Item P	$ 3,200.00
Item Q.	Social Security (County's part)	$ 2,810.00
	Total Item Q	$ 2,810.00
Item R.	National Guard	$ 800.00
	Total Item R	$ 800.00
Item S.	Soil Conservation	$ 300.00
	Total Item S	$ 300.00

Item T.	County Board of Education	$ 2,240.00
	Total Item T	$ 2,240.00
Item U.	County Service Officer Travel expense, to be paid monthly	$ 360.00
	Total Item U	$ 360.00
Item V.	Special Accounts:	
	McCormick County Development Board	$ 20,000.00
	Farm Agent Account	50.00
	Home Agent Account	50.00
	Clerk to Home Agent Account	250.00
	Custodian at County Office Building	435.60
	Custodian at County Courthouse	435.00
	McCormick County FFA Chapter	100.00
	Mental Health Program	1,500.00
	McCormick Fire Warden, expenses, to be paid monthly	240.00
	Forestry Tractor Driver	488.10
	Total Item V	$ 23,548.70
	GRAND TOTAL	$206,739.70
	Less revenue other than taxes:	
	U. S. Forestry Service	$ 35,000.00
	Gas Tax	35,000.00
	Other Revenues	118,000.00
	Total Estimated Revenue	$188,000.00
	Amount to be raised by taxes	$ 18,739.70

SECTION 1A. Should the estimated revenue be insufficient to meet the appropriations hereinabove made, the county treasurer shall transfer from the general fund of the county a sufficient amount to take care of any deficit.

SECTION 2. The various sums herein appropriated shall be used only for the purpose for which they are specifically appropriated and for no other. *Provided,* that transfers from one appropriation to another may be made upon the written approval of the legislative delegation. It shall be unlawful for any officers of the county to ex-

ceed any appropriation or to contract any obligation of indebtedness in excess of any appropriation herein provided for, except upon the written authority of the Legislative Delegation of McCormick County; and obligations incurred without the written authority shall not be binding upon McCormick County. Any officer violating the provisions of this section may be removed from office by the Governor, upon the recommendation of the legislative delegation, and his bond shall be liable for any expenditure or any debt incurred in excess of such appropriation should it be determined that the county is liable therefor.

SECTION 3. The supervisor shall file an itemized statement of all expenditures for the previous month with the clerk of court and an itemized statement of all expenditures shall be published quarterly in the County Gazette, and the same shall become a public record. The county board of commissioners is hereby required to deliver to the county treasurer at the conclusion of the year 1965 an itemized sworn statement of all unexpended balances from the various items hereinabove appropriated, which statement shall be filed by the treasurer with the clerk of court and become a public record. The county supervisor is hereby required to keep a separate account of all funds expended from the various sums appropriated for county purposes and shall issue no warrant in excess of such appropriations. *Provided,* that the county commissioners shall have equal authority in county matters with the supervisor.

SECTION 4. The auditor and treasurer are hereby authorized and required to levy and collect a sufficient tax, as provided by law, to raise sufficient money to meet and pay the amount appropriated by law for McCormick County for the year 1965. No money shall be spent otherwise than herein specifically authorized and none of the items shall be enlarged upon or construed as suggestive or directory, but are mandatory.

SECTION 5. No money shall be borrowed by the county nor interest paid on same for longer periods than the collection of taxes sufficient to pay the same makes it necessary, and no note in excess of the sum provided by law shall be made by the county commissioners except upon the written authority of the county legislative delegation, which shall be filed with the clerk of court.

SECTION 6. The McCormick County Legislative Delegation is hereby authorized and empowered to pay to the members of the

forestry committee or any other members of a committee authorized by legislation, meeting during the year 1965, the sum of five dollars per day from the contingent fund under Item K. *Provided,* however, that none of the committee shall be paid for more than twelve meetings during the fiscal year 1965-1966.

SECTION 7. The County Board of Commissioners of McCormick County is hereby authorized and empowered to appoint a practicing attorney as county attorney who shall render legal advice to any county officer of McCormick County when so requested by such officer regarding official matters pertaining to any duty of any officer of McCormick County, or as to the law pertaining to any matter connected with the administration of such office.

SECTION 8. The County Board of Commissioners of McCormick County is hereby authorized and empowered to appoint a practicing physician whose duties shall be to look after the health conditions of the county and attend any prisoner, either on the chain gang or in the county jail, and make such recommendations as he might think proper for the safeguarding of the prisoners of the communities of the county.

SECTION 9. The McCormick County Legislative Delegation may, at any time, order the discontinuance and storage of any motor car or other equipment owned or hereafter to be owned by McCormick County. *Provided,* that no equipment owned by McCormick County shall be used for anything but county or public purposes.

SECTION 10. No property owned by McCormick County shall be sold, rented, or leased unless the approval of the legislative delegation shall be first secured.

SECTION 11. Unless otherwise specifically authorized herein, no bill or claim against McCormick County shall be approved or paid unless the same is fully itemized and states, under oath, what it is for, giving the kind and quality of thing or commodity it represents and carries the same number as the county voucher, in addition to the amount and the time furnished, and no person shall make oath to such itemized statement or claim for any other person.

SECTION 12. All expenditures over two hundred dollars for supplies and materials shall be purchased on competitive bids.

SECTION 13. No officer of McCormick County shall charge or collect any money for an expense account except as herein provided.

SECTION 14. Any officer or employee of McCormick County who disregards the provisions of this act shall be guilty of misconduct in office and subject to removal in addition to the punishment now provided by law.

SECTION 15. The officials at the McCormick County Courthouse are hereby authorized to close their offices on one afternoon each week provided the majority of the merchants in the Town of McCormick close their place of business one afternoon each week, and the afternoons taken off by the courthouse officials shall be the same afternoon on which the business houses are closed. The officials of McCormick County are further authorized to close their offices on all legal State holidays and on Saturdays at one p. m.

SECTION 16. For the year 1965 the supervisor shall employ such help as necessary, other than that herein provided for, upon the written approval of the Legislative Delegation from McCormick County.

SECTION 17. Immediately upon receiving tax duplicates from the county auditor, the county treasurer shall cause to be mailed to each taxpayer listed thereon, whose post office address is available, a written or printed notice stating thereon the amount of taxes assessed against the taxpayer for the current year, with such other information as the county treasurer may deem desirable. This service to the taxpayer being gratuitous, no obligation shall rest upon the county or State, or county treasurer, for any failure or mistake on the part of the county treasurer in giving or failing to give the notice.

SECTION 18. From the county board of education fund herein appropriated, all members of the county board, except the superintendent of education, shall be paid five dollars per day for each day in attendance upon meetings of the county board and mileage from the homes of the members each way at the rate of seven cents per mile. *Provided,* that the county board of education is hereby authorized to pay from this appropriation any clerical help or mileage necessary for the office of the superintendent of education as may be deemed necessary by the county board.

SECTION 19. Custodian of the McCormick County Office Building and grounds shall be designated by the McCormick County Legislative Delegation and shall approve all claims for expenses necessary for the operation of the county office building.

SECTION 20. The county auditor shall levy and the county treasurer shall collect a tax for the fiscal year 1965-1966 of twenty-three

mills for school purposes. The board of trustees shall present to the county board of education a proposed budget for the fiscal year 1966-1967 on or before March 1, 1966, and by April 1, 1967, the county board of education shall approve, decrease or increase the budget as it may deem necessary. The board of trustees may, with the approval of the county board of education, spend such other necessary funds as are available for school purposes with the written approval of the county board of education.

SECTION 21. Any surplus funds of McCormick County may be invested by the county treasurer upon written approval of the county legislative delegation.

SECTION 22. This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R583, H1763) **No. 673**

An Act To Transfer Ten Thousand Dollars From The General Fund To The Miscellaneous Contingent Fund Of McCormick County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. McCormick County to transfer funds.—The sum of ten thousand dollars is transferred from the General Fund to the Miscellaneous Contingent Fund of McCormick County.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R419, H1421) **No. 674**

An Act To Authorize The Marion County Memorial Hospital Commission to Borrow Not Exceeding One Hundred Twenty-five Thousand Dollars And To Provide For The Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that pursuant to Act No. 1073 of 1948, a public hospital has been established in the political subdivision in Marion County known as the Marion County Memorial Hospital District, to which district was committed the function of operating a hospital for the benefit of the public of the district, and which hospital is being operated by the commission established by Act No. 1073 of 1948, known as the Marion County Memorial Hospital Commission, hereinafter called "the commission". It further finds that improvements and additions to the hospital are needed and enacts this law as a means of providing an opportunity whereby the same may be obtained.

SECTION 2. Commission may borrow money.—In order to obtain improvements for the hospital operated for the Marion County Memorial Hospital District, the commission shall be empowered to borrow not exceeding one hundred twenty-five thousand dollars and may evidence such indebtedness by obligations denoted "bonds" or "notes".

SECTION 3. Maturity.—All obligations issued pursuant to this act shall mature in such annual series or installments as the commission shall provide for, except that the first maturing obligations shall mature within three years from the date as of which they shall be issued; not less than three per cent of such obligations shall mature in any year; and none of such obligations shall mature later than twenty years from their date. *Provided,* however, that all obligations issued pursuant to this act which might be issued to the Division of General Services of the Budget and Control Board of the State of South Carolina shall mature in five equal annual installments from date of note or notes with interest at four per cent per annum; and none of such obligations to the Division of General Services of the Budget and Control Board of the State of South Carolina shall mature later than five years from the date of their issuance.

SECTION 4. Redemption.—Any obligation issued pursuant to this act may be issued with a provision for its redemption prior to its stated maturity at par and accrued interest, plus such redemption premium as may be prescribed by the commission, but no obligation shall be redeemable before maturity unless it contains a statement

to that effect. If the option here granted the commission be availed of, provision shall be made specifying the manner of call and the notice thereof that must be given.

SECTION 5. Form.—The obligations issued pursuant to this act shall be in the form of notes or bonds, and may be issued either in registered or coupon forms in the discretion of the commission.

SECTION 6. Where payable.—The obligations issued pursuant to this act shall be made payable at such places, within or without the State, as the commission shall provide, except that such obligations as may be issued to the Division of General Services of the Budget and Control Board of the State of South Carolina shall be payable at the office of the Division in Columbia, South Carolina.

SECTION 7. Interest.—Obligations issued pursuant to this act shall bear interest at rates determined by the commission, except that such obligations as are issued to the Division of General Services of the Budget and Control Board of the State of South Carolina shall bear interest at four per cent per annum.

SECTION 8. Execution.—Obligations issued pursuant to this act and all coupons, if any, annexed thereto shall be executed in the manner provided for by the commission.

SECTION 9. Sale.—Obligations issued pursuant to this act shall be sold at public or private sale in the discretion of the commission.

SECTION 10. Payment.—For the payment of the principal and interest of all obligations issued pursuant to this act as the same respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the Marion County Memorial Hospital District and Marion County shall be irrevocably pledged, and there shall be levied annually by the Auditor of Marion County and collected by the Treasurer of Marion County, in the same manner as county taxes are levied and collected a tax without limit, on all taxable property in the Marion County Memorial Hospital District sufficient to pay the principal and interest of such obligations as they respectively mature and to create such sinking fund as may be necessary therefor.

SECTION 11. Payment further.—For the payment of the principal and interest of all obligations issued pursuant to this act as the same respectively mature, and for the creation of such sinking fund

as may be necessary therefor, all surplus funds accruing to the hospital, shall be irrevocably pledged, sufficient to pay the principal and interest of such obligations as they respectively mature and to create such sinking fund as may be necessary therefor, and the commission is hereby required and directed to pay and apply such surplus funds to the payment of the obligations, and to no other purpose. If such surplus funds, when so applied to the payment of the principal and interest are sufficient, then the tax herein authorized shall not be levied.

SECTION 12. Exempt from taxes.—The principal and interest of obligations issued pursuant to this act shall have the tax exempt status prescribed by Section 65-4.1, Code of Laws of South Carolina, 1962.

SECTION 13. Proceeds.—The proceeds derived from the sale of any obligations issued pursuant to this act shall be deposited by the Treasurer of Marion County in a special account for the district, and shall be expended and made use of by the commission as follows:

(a) Any accrued interest shall be applied to the payment of the first installment of interest to become due on such obligations;

(b) Any premium shall be applied to the payment of the first installment of principal of such obligations; and

(c) The remaining proceeds shall be used to defray the cost of issuing the obligations and the cost of effecting the improvements to the hospital authorized herein.

SECTION 14. Powers to be additional.—The powers and authorizations hereby conferred upon the commission shall be in addition to all other powers and authorizations previously vested in the commission.

SECTION 15. Date of issuance.—The bonds authorized by this action shall be issued prior to June 1, 1966.

SECTION 16. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of May, 1965.

(R671, H1701)

No. 675

An Act To Make Appropriations For Ordinary County Purposes For Marion County For The Fiscal Year Beginning July 1, 1965, And Ending June 30, 1966; To Provide For The Expenditure Thereof; To Authorize The Proper Officers Of The County To Borrow Money To Meet Such Appropriations; And To Provide For The Levy Of Such Taxes As May Be Necessary To Raise The Required Amount, Taking Into Account Other Revenues Of The County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. After first deducting the estimated or anticipated revenues, a tax is hereby levied for the calendar year 1965 upon the taxable property of Marion County for county purposes, for the fiscal year beginning July 1, 1965, and ending June 30, 1966, in the amount and for the purposes hereinafter stated.

SECTION 2. The county auditor is hereby directed to make a calculation of the amount of levy that will be necessary to raise the sums appropriated in this act, first taking into account the probable income from all other sources; and he is authorized and directed to impose in due time such levy upon the property of the county as will raise the sums of money necessary under this act. *Provided,* that the levy shall be made only upon the written approval of a majority of the legislative delegation.

SECTION 3. The following amounts are hereby appropriated for Marion County for the fiscal year beginning July 1, 1965, and ending June 30, 1966, for the following purposes, and the salaries of the officers and employees are fixed as hereinafter stated:

Item 1.	Salaries:	
	A. Clerk of Court	$ 1,250.00
	B. Sheriff	4,300.00
	B-1. Four Deputy Sheriffs @ $3,160.00 each	12,640.00
	Provided, that the Sheriff may designate one of the Deputy Sheriffs as "Chief Deputy" to be left in charge in the absence or incapacity of the Sheriff, and the Chief Deputy shall draw an additional salary of	180.00
	B-2. Investigating fund to be used by Marion County Sheriff	600.00

B-3. Travel and other expenses, Sheriff and four Deputies @ $2,000.00 each 10,000.00

B-4. Gas and oil—Sheriff's office, $250.00 per month 3,000.00
Provided, that this sum shall be paid monthly to the Sheriff for division between his deputies and himself at the rate of $50.00 per month for each deputy and himself for gas and oil.

B-5. Steno-Clerk and Radio Dispatcher for Sheriff's office 2,700.00
Provided, however, that the steno-clerk and radio dispatcher herein provided for shall be required to take all the testimony at coroner's inquests as part of his or her regular duties and without additional compensation.

C. Jailor 2,800.00

D. Magistrate at Marion 3,000.00

D-1. Rent—Magistrate at Marion 180.00

E. Magistrate at Mullins 3,000.00

F. Magistrate at Centenary-Rains 650.00

F-1. Magistrate's Constable at Centenary-Rains ... 2,000.00

G. Magistrate at Britton's Neck Township 650.00

G-1. Magistrate's Constable at Britton's Neck Township 2,000.00

H. Magistrate at Nichols 650.00

H-1. Rent—Magistrate at Nichols 180.00

I. Treasurer 2,506.00

J. Assistant Treasurer 3,900.00
Provided, that the Treasurer of Marion County is authorized to continue the employment of Mrs. Clara Allen regardless of retirement age.

K. Auditor 2,506.00

L. Deputy Auditor 4,200.00

M. Extra clerical help, Auditor & Treasurer 2,700.00

N. Coroner 1,150.00

N-1. Travel and other expenses—Coroner 700.00

O. Chairman of County Board of Commissioners 7,800.00

P. Six County Commissioners @ $400.00 each for travel and official expenses 2,400.00

Q. One Clerk to Commissioners 2,800.00

R. Tax Collector 1,500.00

S. Deputy Tax Collector		1,500.00
T. Clerk for Tax Collector and Deputy Tax Collector		2,700.00
U. Superintendent of Education		1,349.00
Total, Item 1	$	87,491.00
Item 2. County Board:		
A. Board of Education—Seven members @ $400-.00 each for travel and official expenses	$	2,800.00
B. One Clerk to Superintendent of Education		2,400.00
C. Board of Equalization		2,500.00
Total, Item 2	$	7,700.00
Item 3. Post Mortems and Lunacies	$	400.00
Total, Item 3	$	400.00
Item 4. Welfare Department:		
A. Emergency assistance, including aid for special needs of foster children	$	3,500.00
B. Charity hospitalization		3,000.00
C. Chairman—Public Welfare Board		300.00
D. Pauper funerals		1,200.00

Provided, that no funds shall be paid to any hospital outside of Marion County unless there is a reciprocal agreement with such outside county. *Provided,* further, no hospital shall be compensated at a higher rate than ten dollars per day from county funds.

Provided, further, that the Marion County Welfare Board shall make all necessary investigations. *Provided,* further, that no hospitalization shall be paid in excess of ten days from county funds and there shall not be expended on any one case a greater sum than one hundred dollars. *Provided,* further, that when funds under Item B are exhausted the Marion County Welfare Board shall not approve for charity hospitalization further disbursement until additional funds become available.

Total, Item 4	$	8,000.00

Item 5.	Jurors and Witnesses	$ 10,000.00
	Provided, that witnesses shall receive two dollars per diem (jurors and court attaches shall receive per diem of six dollars).	
	Provided, further, that jurors in Magistrates' Courts in criminal cases and jurors in Coroner's Courts shall be paid two dollars per day upon warrants of the Magistrate, Coroner or Sheriff.	
	Total, Item 5	$ 10,000.00
Item 6.	Public Buildings:	
	A. Public buildings, including lights, water, grounds, office rent, etc.	$ 14,000.00
	B. Improvements for county buildings	15,000.00
	Total, Item 6	$ 29,000.00
Item 7.	Vital Statistics—Travel and filing of certificates	$ 550.00
	Total, Item 7	$ 550.00
Item 8.	Ordinary Contingent	$ 45,000.00
	Total, Item 8	$ 45,000.00
Item 9.	A. Roads, bridges, chain gang, maintenance, dieting, clothing, medical and medicine for prisoners on chain gang	$ 30,000.00
	Provided, however, that the total amount of gasoline tax allocated to Marion County be put in this item.	
	B. Marion County Jail—water, lights, etc. for prisoners while in jail	6,500.00
	C. Workmen's Compensation Insurance Premium	2,200.00
	Total, Item 9	$ 38,700.00
Item 10.	Salary for Clerk to Marion County Tuberculosis Association	$ 1,900.00
	Total, Item 10	$ 1,900.00

Item 11. Health Department	$	10,956.00
A. Transportation for crippled children		500.00
B. Medicine for T. B. patients		200.00
Total, Item 11	$	11,646.00
Item 12. Libraries:		
A. Marion Library	$	1,750.00
B. Mullins Library		1,750.00
C. Nichols Library		750.00
D. Traveling Library		1,500.00
Total, Item 12	$	5,750.00
Item 13. County Agent's Office:		
A. County Agent	$	900.00
A-1. Two Assistant County Agents @ $330.00 each		660.00
B. Clerk to County Agent		150.00
C. Postage and office supplies		200.00
Total, Item 13	$	1,910.00
Item 14. Home Demonstration Agent's Office:		
A. Clerk—Salary supplement	$	420.00
B. Supplies and incidentals		200.00
C. Telephone		150.00
D. Home Demonstration Agent, salary supplement		240.00
E. Assistant Home Demonstration Agent, salary supplement		150.00
Total, Item 14	$	1,160.00
Item 15. Boys' and Girls' 4-H Club Work	$	300.00
Total, Item 15	$	300.00
Item 16. Negro Agricultural and Home Demonstration Agents' Office:		
A. Rent, fuel, telephone and other supplies and services	$	750.00
B. Clerical personnel		2,580.00
C. Home Demonstration Agent—Travel, $570.00; salary, $570.00		1,140.00
D. Equipment, demonstration materials and supplies and activities		400.00

E.	Boys' 4-H Club work and supplies	150.00
F.	Girls' 4-H Club work and supplies	150.00
G.	Negro Agricultural Agent—Salary supplement	300.00
	Total, Item 16	$ 5,470.00
Item 17.	Office of Judge of Probate	$ 2,400.00
	Total, Item 17	$ 2,400.00
Item 18.	Marion Soil Conservation District	$ 900.00
	Total, Item 18	$ 900.00
Item 19.	Marion County Planning and Development Board	$ 7,200.00
	Total, Item 19	$ 7,200.00
Item 20.	Mental Health Center, Darlington-Florence-Marion	$ 6,000.00
	Total, Item 20	$ 6,000.00
	Provided, that no disbursement of this fund shall be made unless approved by the legislative delegation.	
Item 21.	Civil Defense	$ 4,766.00
	Total, Item 21	$ 4,766.00
Item 22.	Miscellaneous:	
A.	Marion Rural Fire Dept.	$ 500.00
B.	Mullins Rural Fire Dept.	500.00
C.	Nichols Rural Fire Dept.	200.00
D.	Marion National Guard	1,000.00
E.	Mullins National Guard	1,000.00
F.	Radio repair for radios and insurance on radios	700.00
G.	Official bond premiums	800.00
H.	Printing and office supplies, stamps and box rent	7,000.00
I.	Advertising-Tax notices	700.00
J.	Junior Homemakers Association	300.00
K.	Marion Rescue Squad	1,000.00
L.	Mullins Rescue Squad	1,000.00
M.	Hospitalization insurance for county employees	900.00

N. Office expense for Circuit Judge	500.00
O. Salary and equipment for third Game Warden	2,000.00
P. County Service Officer	1,200.00
Q. Fish and Game Commission	300.00
Total, Item 22	$ 19,600.00
GRAND TOTAL	$295,843.00
Less Estimated Revenues:	
Magistrates' fines	$ 30,000.00
Alcoholic tax	21,000.00
Gas tax	67,000.00
Beer and wine tax	8,000.00
Fines and forfeitures	10,000.00
Insurance licenses	11,000.00
Bank tax	5,000.00
Income tax	31,000.00
Interest	1,400.00
Miscellaneous revenue	7,500.00
TOTAL	$191,900.00
Amount to be Raised by Taxation	$103,943.00

SECTION 4. The board of county commissioners is hereby authorized to borrow, at such time or times, and upon such terms as it may prescribe, upon sealed competitive bids, after written notice to all banks in Marion County, a sum or sums not exceeding in the aggregate the amount hereinabove appropriated, pledging all taxes to be raised by virtue of the levy to be made hereunder and the full faith and credit of the county for such loan or loans. The chairman of the board of county commissioners and the county treasurer shall execute a note or notes for such loan or loans, which note or notes, when so executed, shall be a lien upon all taxes to be raised during the year 1965 for the levy to be made under this act; *provided,* that the monies hereinabove appropriated shall be used only for the purpose for which such appropriation is made and for no other purpose or purposes, and the board of county commissioners and the county treasurer are hereby expressly forbidden to exceed directly or indirectly the appropriations herein made for any purpose

whatsoever unless upon authorization of the county delegation; and *provided*, further, that all unexpended balances on appropriations for the period beginning July 1, 1964, and ending June 30, 1965, shall be added to the ordinary county funds hereinabove mentioned. *Provided*, that no funds of Marion County in excess of the sum protected by the Federal Deposit Insurance shall be deposited by an officer thereof in any bank or banks unless such bank or banks shall file with the county treasurer an indemnity bond in some approved surety company, or shall deposit with the county treasurer, United States, State, county, municipal, school district, Federal Land Bank Bonds, or other bonds guaranteed by the United States, or county notes, to indemnify the County of Marion against any loss or damage which may arise by reason of such deposit, the indemnity to be not less than the maximum amount so deposited less the sum protected by the Federal Deposit Insurance, the sufficiency of the indemnity or security hereinabove provided for to be determined and approved by the county treasurer and the chairman of the board of county commissioners in writing. In addition to borrowing such sum or sums as may be necessary to cover the provisions of this act, in case of an emergency, the Marion County Legislative Delegation to be the judges thereof, the board of county commissioners may, with written approval of the Marion County Legislative Delegation, borrow such additional funds as may be necessary to meet such emergency, pledging as security therefor, the full faith and credit of Marion County for the payment of any sum or sums so borrowed.

SECTION 5. From the effective date of this act fishing from the banks with hook and line only shall be permitted in the sanctuaries between Aerial's Cross Roads and Galivant's Ferry from sunrise to sunset on Wednesday and Saturday of each week.

SECTION 6. The amounts hereinbefore appropriated for salaries for officers and employees shall be in full for their compensation and they shall not receive allowances for travel or other expenses, except as herein provided, save and except postage, stationery and office supplies which shall also be furnished each of the magistrates upon their written requisition to the board of county commissioners. No claim for mileage or travel for any purpose shall be paid without claimant first securing the approval of the county board of commissioners before making such trip, and if such travel or mileage

is authorized and approved claimant shall be paid at the rate of nine cents per mile for actual distance traveled in the most direct route going to and returning from the place of destination. *Provided,* that the sheriff is required to use the facilities of the State whenever available for the purpose of returning prisoners to the county.

SECTION 7. The amount hereinabove appropriated to the charity hospitalization fund shall be paid by the county board of commissioners upon presentation to them of approved claims by the county board of welfare or its director. The county board of welfare, working in conjunction with the superintendent of the hospital receiving such funds, is hereby directed to make a thorough study of the needs of every applicant for assistance from this fund. It shall work in conjunction with the superintendent of the hospital and, in the investigation of any applicant for assistance from this fund, the records, files and information which the superintendent of the hospital may have concerning such applicant shall be accessible to the county board of welfare in order to determine whether or not such applicant is entitled to assistance hereunder, and likewise any files, records and information which the county board of public welfare may have concerning the applicant shall be accessible to the superintendent of the hospital. In the event the county board of public welfare and the superintendent of the hospital are unable to agree whether or not such applicant is entitled to assistance hereunder, then one disinterested member of the welfare board, after having studied the report or reports on such applicants, shall determine whether the applicant is entitled to assistance. In emergency cases, the county board of public welfare is directed to make an investigation of the applicant even though he or she may have already been admitted to the hospital or discharged therefrom, and if it is finally determined that such emergency case is entitled to assistance hereunder, the county board of public welfare is hereby directed to approve same.

SECTION 8. The board of county commissioners, with the approval of a majority of the legislative delegation, shall have authority to employ a county attorney and to pay for his services out of the contingent fund.

SECTION 9. The county board of commissioners, through its chairman or clerk, is hereby authorized and directed to issue a li-

cense to carnivals or other shows operating in Marion County. The license fee shall not exceed the sum of one hundred dollars per day, and the amount of the fee shall be recommended by the chairman of the county board of commissioners after he has made an investigation of the type of carnival or show concerned and the type and kind of its activities. *Provided,* that this section shall not apply to carnivals or shows contracting with the Marion County Fair Association.

Provided, further, that a majority of the county board of commissioners may, in their discretion, waive this section when such carnivals or shows are sponsored by a local civic organization.

SECTION 10. The auditor shall call the local board of assessors together before beginning their work and shall instruct them that in all cases where a taxpayer is dead, or has removed, or is unknown to any of them, it shall be their duty to make a list of such and at the conclusion of their work to turn such list over to the tax collector. The tax collector, or assistant tax collector, shall be required to make a personal visit to the territory in which such taxpayer is last listed, and if after a careful investigation he is of the opinion that the person is dead or cannot be found, then same can be nulla bona by the proper authorities and he shall be required to go into this clarification of the tax list immediately after the local boards finish their work, and at the end of three months make a report of such work to the county commissioners and the delegation and submit a copy of same to the treasurer. He shall further be required to turn over to the treasurer on the first of each month all money collected by his office the preceding month.

SECTION 11. The Tax Collector, or Assistant Tax Collector, of Marion County shall receive two dollars execution fee on all taxes so collected by him. The tax collector, or assistant tax collector, upon collecting such taxes, shall turn all costs and fees over to the county treasurer and take receipts therefor, and at the end of each month thereafter the county treasurer is authorized and directed to pay over to the tax collector, or assistant tax collector, two dollars on each execution fee so collected by him.

SECTION 12. The twenty-five hundred dollar item appropriated for the Board of Equalization shall be distributed in the following manner: each member of the board shall be paid seven dollars and

fifty cents per day while attending his official duties as such, plus nine cents per mile for mileage.

SECTION 13. All gas, oil and equipment shall be purchased by competitive bid, and also all other supplies where practicable.

SECTION 14. All county officers of Marion County, if they so desire, are authorized to close their respective offices at five o'clock P.M. All county officers and employees shall be entitled to a half-day holiday each week in addition to Sundays and State holidays now being observed, a schedule for such half-day holidays to be arranged by the head of each department; *provided,* however, that deputy sheriffs shall not be entitled to a half-day holiday during the tobacco season except when the same shall be expressly authorized by the sheriff.

SECTION 15. In order to facilitate the preparing of the county appropriations act by the legislative delegation, the county treasurer shall, on or before the first day of February each year, in writing, report to the legislative delegation the amount of county funds coming into his hands during the preceding calendar year, giving the source of the funds. He shall further report the disbursements made by him during the preceding calendar year showing the amounts disbursed on vouchers by the respective boards of the county, certificates or warrants of the clerk of court, and interest and principal paid on bonds.

The Superintendent of Education of Marion County shall, on or before the first day of February of each year, report to the legislative delegation in writing, a detailed statement of all revenues allotted for school purposes for the preceding school fiscal year and all disbursements made by him for school purposes for the preceding fiscal year. He shall also furnish to the legislative delegation on or before February first of each year an estimate of all anticipated revenues for the present school fiscal year, and an estimate of all disbursements for the present school fiscal year. He shall also furnish to the legislative delegation an estimate of all revenues to be allotted or received for school purposes for the next school fiscal year, and also an estimate of all disbursements for the next school year.

SECTION 16. In each of the respective school districts of Marion County, there are created four scholarships for those deserving boys and girls who desire to attend college and need financial assistance

to do so. Each scholarship shall be of the value of two hundred dollars. The scholarships shall be awarded upon the recommendation of the County Board of Education for Marion County by and with the consent of a majority of the legislative delegation. The scholarships shall be awarded to the most worthy and needy students, who shall meet such requirements as the county board may prescribe. These scholarships shall be paid from surplus funds accruing to the department of education. *Provided*, however, that in School Districts 3 and 4 there shall be only two scholarships in each district.

SECTION 17. All appropriations herein made and all services thereby provided shall be expended and used only and solely for public purposes as required by law and the use of any county personnel, equipment or labor for private profit and benefit is strictly forbidden. All authorizations that have been granted and issued by the Marion County Legislative Delegation that have not expired by the terms, conditions and limitations thereof shall expire and terminate on June 30, 1965.

SECTION 18. All appropriations herein made are subject to the right and authority of the Marion County Delegation to change, alter, increase, deduct therefrom, or transfer funds from one account to another, at any time without notice, when in its judgment such change, alteration, transfer, increase or deduction is necessary for the best interest of the county and to conform with revenue expected during the life of this act.

SECTION 19. The magistrates' constables hereinabove mentioned shall be appointed by their respective magistrates, and they shall be subject to removal by the same authorities at any time without the preference of charges. They shall have full rural police powers throughout the county. They shall regularly patrol their respective territories, and faithfully devote their time and effort to the preservation of peace, good order and detection of and prevention of crime therein. *Provided,* however, that the magistrates' constables shall aid and assist the sheriff's office in investigating any and all crimes and the enforcement of law in Marion County. For that purpose they shall be subject to the call of the sheriff of the county at all times and, when so called, they shall work in cooperation with the sheriff and under his direction and supervision. Any constable who fails or refuses to faithfully and officially discharge his duties in this

respect shall be deemed guilty of official misconduct and be forthwith removed from office.

SECTION 20. Notwithstanding any provision herein or any act heretofore passed to the contrary, no change, alteration, transfer, increase or deduction in this appropriation act shall be made, save and except upon the recommendation of the legislative delegation or a majority thereof.

SECTION 21. This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1965.

(R723, H1780)

No. 676

An Act Relating To The Fiscal Affairs Of Marlboro County And The School Districts Thereof; To Provide A Levy Of Taxes For County Purposes For The Fiscal Year Beginning July 1, 1965, And For The Expenditure Thereof; And To Make Provisions For The Due Payment Of Existing Indebtedness Of Marlboro County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The following amounts are appropriated from the General Fund of Marlboro County for the purposes herein stated:

Item 1. Law Enforcement and Administration of Justice:

(A) Sheriff's Office:

Salaries:

Sheriff	$ 6,000.00
Clerical Assistant	3,300.00
Deputy Sheriffs (2 jailors)	6,240.00
Cook (Jail)	1,020.00
Rural Policemen and Deputy Sheriffs (six)	29,380.00
Contingent Fund, Uniform Fund and Radio Fund	2,500.00
Dieting Prisoners	6,000.00
Medical Expense (Jail)	600.00
Servicing Law Enforcement Vehicles	10,000.00
Post Mortems, Inquests and Lunacies	1,250.00

(B)	Judiciary:	
	County Judge	5,400.00
	Attorney, to be appointed by County Delegation	1,200.00
	Magistrates:	
	McColl	1,200.00
	Office Rent, McColl Magistrate	200.00
	Office Rent, Clio Magistrate	200.00
	Bennettsville	2,400.00
	Clio	660.00
	Brightsville	600.00
	Wallace	600.00
	Brownsville	600.00
	Provided, it shall be the duty of the Board of Commissioners to audit the Magistrates' books monthly, and see that all fines have been turned over to the Treasurer before pay warrants are issued.	
	Bailiffs, Witnesses, Court Attaches to be paid four dollars per day; Jurors and Grand Jurors eight dollars per day and mileage; Coroner's Jurors five dollars per day	7,000.00
	Total, Item 1	$ 86,350.00
Item 2.	Supervisor's Office:	
(A)	Salaries:	
	Supervisor	$ 7,500.00
	Clerk of County Highway Commissioners	3,960.00
(B)	Roads, Bridges, Maintenance and Convicts	105,000.00
	Total, Item 2	$116,460.00
Item 3.	Courthouse Officials, Courthouse, Public Buildings, Insurance and Office Supplies:	
(A)	Salaries:	
	Treasurer	$ 3,800.00
	Assistant to Treasurer	3,000.00
	Clerk of Court	1,620.00
	Assistant to Clerk of Court	3,000.00
	Second Assistant to Clerk of Court	3,000.00
	Auditor	3,800.00
	Assistant to Auditor	3,420.00

	County Service Officer	2,187.00
	Assistant County Service Officer	1,944.00
	Clerk—Judge of Probate	240.00
	Coroner	2,100.00
	Supplement to Game Warden Salaries	2,400.00
	Part-time Secretary for Soil Conservation Office	1,000.00
	Assistant to County Agent	240.00
(B)	Supplies:	
	Janitor, Courthouse	2,980.00
	Workmen's Compensation Premium	1,500.00
	Social Security	7,000.00
	Water, lights, fuel, repairs and insurance	27,500.00
	Printing, postage and stationery	7,000.00
	Audit of County Books	2,800.00
	For retirement of County Officers, if so much be necessary	10,800.00
	Total, Item 3	$ 91,331.00
Item 4.	Public Health, Charities and Social Welfare:	
	Sanitary Officer	$ 300.00
	Health Department	13,785.00
	Marlboro County General Hospital, to supplement charity aid from Duke Foundation	12,500.00
	Marlboro Tuberculosis Association	1,250.00
	Library Association	8,920.00
	Home and Recreational Center for Aged Negroes of Marlboro County	750.00
	Marlboro County U.D.C.	15.00
	Armory Maintenance Fund	1,000.00
	Mileage for Child Welfare Work	1,300.00
	Public Welfare Department	7,760.00
	Salary, Director of Public Welfare	600.00
	Telephone Expenses for Welfare Department	900.00
	Total, Item 4	$ 49,080.00
Item 5.	Marlboro County Agricultural and Development Board:	
(A)	Salaries:	
	Executive Director	$ 8,500.00
	Secretary	3,120.00

(B)	Miscellaneous:	
	Auto Expense (Director)	500.00
	General Economic Development Fund	2,500.00
	Publication, Directories, Professional Dues and Services	550.00
(C)	Office Supplies and Telephone:	
	Supplies	550.00
	Telephone	750.00
	Total, Item 5	$ 16,470.00
Item 6.	Miscellaneous Contingent:	
	Bonds, County Officers	$ 1,500.00
	Demonstration Supplies for Home Agents	125.00
	Boys' 4-H Clubs	100.00
	Girls' 4-H Clubs	100.00
	Negro Boys' 4-H Clubs	100.00
	Negro Girls' 4-H Clubs	100.00
	County Agent	600.00
	Assistant County Agent	300.00
	Salaries of Prison Camp Preachers	480.00
	Lake Wallace Recreation Project	2,500.00
	County Home Demonstration Agent	300.00
	Total, Item 6	$ 6,205.00
Item 7.	Civil Defense:	
	Marlboro County Rescue Squad	$ 1,250.00
	Total, Item 7	$ 1,250.00
Item 8.	Special Contingent Fund	$ 25,000.00
	Total, Item 8	$ 25,000.00
	GRAND TOTAL	$392,146.00
	ESTIMATED REVENUE:	
	State Sources:	
	Gasoline Tax	$ 91,000.00
	Income Tax	61,000.00
	Alcoholic Liquors Tax	29,000.00

Beer and Wine Tax	7,500.00
Bank Tax	3,000.00
Total derived from State Appropriations herein	$191,500.00
County Sources:	
15 Mills Property Tax and Executions	$150,000.00
Court Fines and Magistrates' Collections	68,000.00
Marriage Fees	2,000.00
Total derived from County Sources for appropriations herein	$220,000.00
GRAND TOTAL—ESTIMATED REVENUE	$411,500.00

All funds by this act provided for the Department of Public Welfare in Marlboro County shall be deposited in a bank to the credit of the Department of Public Welfare and disbursed by check signed by the county director and countersigned by a member of the Board of Public Welfare, to be by the board designated. *Provided,* the director's salary shall be paid by the County Commissioners as is customary in the claims against the county.

SECTION 2. The Board of County Highway Commissioners and all other officers of Marlboro County are requested and directed to be economical in the expenditure of all public funds, and to keep the expense below the appropriations when practicable and consistent with public requirements, and no unused appropriated fund shall be carried forward for the particular use in the succeeding year, but shall be transferred to the contingent fund provided for in this section. In no case shall the expenditure exceed the appropriation for any purpose; *provided,* that out of the surplus contingent fund are to be paid all necessary expenses for which no specific appropriation was made herein, and for unavoidable expenses in excess of the appropriations for any purpose. No officer, agent or employee of Marlboro County shall contract any debt for any purpose, or expend any sums in excess of the appropriations in this act provided for such specific purpose, and for any and all violations thereof they, and their bondsmen, shall be jointly and severally liable. Any officer, agent or employee shall be personally liable for any such debt contracted.

SECTION 3. All funds herein appropriated for Marlboro County Agricultural and Development Board shall be expended pursuant to the direction and authorization of the board.

SECTION 4. The sheriff of the county shall have the right, when ever he considers such necessary, to call in the county attorney to prosecute before any magistrate in any and all cases; the fee of the county attorney is to be approved and paid by the county commissioners. *Provided,* however, that no more than three hundred dollars shall be expended pursuant to this section.

SECTION 5. The sheriff of the county is hereby directed to so regulate the movement and activities of the rural policemen that all sections of the county shall enjoy the protection of the law without favor and without neglect.

The protection of all school property is hereby made a special mission of the sheriff and his force. He is particularly directed to so regulate the enforcement of the law as to protect school property from injury, theft and destruction; and to enforce the law against plowing in the roads. The contingent fund and uniform appropriation of one thousand five hundred dollars hereinabove made shall be expended by the Sheriff of Marlboro County for the enforcement of law and purchase of uniforms for county officers.

SECTION 6. The County Board of Highway Commissioners of Marlboro County is hereby declared to be the sole financial and purchasing agent of Marlboro County, and when any officer or board of the county desires new equipment or supplies, or replacement, or extraordinary service in connection with his or their office, or desires that any expenditure be made, or expense be incurred in regard to his or their office, whether specifically appropriated in this act or not, or desires to make any purchase or incur any expense, he shall file his request for same, in writing, with the County Board of Highway Commissioners, who shall make such purchase in accordance with provisions herein made. No officer or board shall have any authority to make contracts of purchase or incur other obligations in the name of the county except as authorized by law, and no contracts made, except as herein provided, shall be valid to bind the county. No bill account or invoice shall be paid unless the procedure hereinabove set forth has been complied with except upon written approval of the delegation.

SECTION 7. The appropriation of twelve thousand five hundred dollars for the treatment in Marlboro County General Hospital of deserving charity patients, whose condition demands hospital treatment, is made subject to the following conditions: that no deserving charity patient as above described shall be turned away as long as there are facilities and room in the hospital; that there shall be no charge whatsoever except the daily expense of sixteen dollars and fifty-eight cents per patient. *Provided,* that the funds shall be available for use of the Marlboro County General Hospital only upon itemized statements of the actual days spent in the hospital by charity patients, signed by each patient individually and certified by the hospital management, such statement being presented to the board of county commissioners at its regular monthly meetings. The Duke Foundation payment for charity work of one dollar per day is to be deducted from the amount of nineteen dollars and thirty-seven cents, leaving eighteen dollars and thirty-seven cents per charity patient to be paid by the county. These conditions and provisions are to be interpreted and enforced as meaning that when the Duke Endowment gives one dollar for charity work, the county will give fifteen dollars and fifty-eight cents, not to exceed in total amount the sum of fourteen thousand five hundred dollars for the year 1965-1966. County funds shall be available only to match in this way funds coming from the Duke Foundation for charity beds, and shall be paid only in cases approved as charity cases by the Duke Foundation. The board of county commissioners is authorized and directed to prepare and have printed for use by the patient and hospital management forms and blanks for making the above-mentioned certified statements. *Provided,* further, that the charity patients referred to must be citizens of Marlboro County.

SECTION 8. The sheriff shall be allowed one dollar and twenty-five cents per day per prisoner for feeding prisoners, but no payment beyond the total sum of six thousand dollars is to be made.

SECTION 9. The janitor of the courthouse shall be hired by the supervisor.

SECTION 10. The county commissioners shall receive as pay for their services the sum of fifteen dollars for each day actually engaged on official duty and mileage at the rate of nine cents per mile actually traveled. All are to be paid from the contingent fund.

SECTION 11. The sheriff's stenographer shall also be available and provide such services as may be necessary for the Magistrates and the Coroner of Marlboro County. The coroner is authorized and directed to have the stenographer take down stenographically all testimony at inquests held in the county; and at such inquests the coroner shall swear and examine every eyewitness. The stenographer shall make an original and one copy of the testimony taken at such inquest, and he or she shall sign and deliver the original to the coroner, and one copy to the solicitor.

SECTION 12. The sheriff is authorized to sell all materials, supplies, or other property seized or confiscated by him or his officers, where not prohibited by law, and the proceeds shall be turned over to the sheriff's contingent fund to be used for ordinary purposes of his office.

SECTION 13. The board of commissioners shall publish once each month in some newspaper published in Marlboro County an itemized statement of all expenditures of county funds, contract for publishing the same to be let to the newspaper making the lowest bid.

SECTION 14. The county supervisor shall be the executive head of the county board of highway commissioners; but each member of the board of county highway commissioners shall have equal authority and the board shall at each monthly meeting provide for and set out generally the work to be done the following month on the county road system.

SECTION 15. The county commissioners are hereby authorized and empowered to borrow money for county purposes in anticipation of collection of taxes and to pledge such taxes when collected, as well as the full faith and credit of Marlboro County, for its repayment, upon the written approval of the legislative delegation. No amount shall be borrowed in excess of anticipated taxes.

SECTION 16. The funds appropriated and set aside in this act shall be used only for the purposes set forth herein. In the event funds are used for items for which they were not appropriated, all officers, agents or employees who take part in or have anything whatsoever to do with the transfer or use of such funds shall be deemed guilty of malfeasance in office and subject to removal at once by the Governor of the State of South Carolina, or by the proper

officials of Marlboro County. Monies may be transferred from any account, item, or county fund to any other account, item or county fund upon the written direction and approval of the legislative delegation.

SECTION 17. The Board of Commissioners of Marlboro County shall have no authority to make donations for any purpose.

SECTION 18. At least fifteen hundred dollars of the eight thousand twenty dollars appropriated to Library Association in Item 4 hereof shall only be used by such association for necessary expense in operating a circulating library over the county.

SECTION 19. In order to raise the funds herein appropriated or authorized to be spent, not provided otherwise by law, the county auditor is authorized and directed to levy ten mills upon all taxable property in Marlboro County.

SECTION 20. Any unexpended funds now in, or hereinafter due to, the Courthouse Fund shall be transferred by the Treasurer of Marlboro County to the County General Fund.

SECTION 21. Funds of the Marlboro County Hospital and Health Center Fund may be used only upon the written authorization of the Legislative Delegation from Marlboro County. All or any part of such fund may be so transferred to appropriations for Marlboro County Hospital, or for other uses of the hospital as herein provided, or otherwise.

SECTION 22. Repairs and service to sheriff's radios and radio equipment shall be paid out of the sheriff's contingent fund.

SECTION 23. All funds herein provided for Marlboro County Health Department may be used only upon written authorization of the Legislative Delegation from Marlboro County.

SECTION 24. The appropriation herein made for salaries for rural policemen and deputy sheriffs shall be allocated by and in the discretion of the Sheriff of Marlboro County among the deputy sheriffs and rural policemen.

SECTION 25. All execution fees collected by the tax collector which have heretofore been payable to the Treasurer of Marlboro County as the treasurer's fees for collection of delinquent taxes shall

from the date of this act be payable to the Treasurer of Marlboro County as funds of the county, and shall be deposited by the Treasurer of Marlboro County in the County General Fund. All commissions or fees collected by the Treasurer of Marlboro County for the sale of State documentary stamps shall be paid over to the General Fund of the county by the treasurer. All fees heretofore paid to the Auditor of Marlboro County for any purpose whatsoever shall be paid over to the Treasurer of Marlboro County as county funds, and shall be deposited by the treasurer in the General Fund of the county. This act will in no way affect the execution fees due the estate of L. K. Breeden, deceased, on delinquent taxes that may hereafter be collected.

SECTION 26. The appropriation herein made for Armory maintenance shall be expended pursuant to the written direction and authorization of the Commanding Officer of Co. A., 3rd Bn. (mechanized) 118th Infantry. Such written authorization shall contain an itemization of expenditures.

SECTION 27. The appropriation made in Item 7 "Special Contingent Fund" shall be expended on the written authorization and direction of the Marlboro Legislative Delegation and shall be expended in connection with a special program tax equalization.

SECTION 28. The appropriation herein made for the Lake Wallace recreation project shall be expended pursuant to the written authorization of the Marlboro County Legislative Delegation.

SECTION 29. This act shall take effect upon approval by the Governor.

Approved the 19th day of June, 1965.

(R4, H1014)

No. 677

An Act To Provide For The Levy Of Taxes For Newberry County For The Fiscal Year Beginning July 1, 1965, And Ending June 30, 1966, And To Provide For The Expenditure Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The following amounts are hereby appropriated for the following purposes for the County of Newberry for the fiscal

year beginning July 1, 1965, and the salaries of officers and employees are fixed as hereinafter stated:

Item 1. For salaries of county officers, to be disbursed as follows:

Clerk of Court of Common Pleas and General Sessions and Register of Mesne Conveyances	$ 5,710.08
Assistant	4,894.08
Clerical Help for Clerk of Court	2,855.04
Sheriff	6,118.08
Delinquent Tax Collector	4,894.08
Deputy Help for Tax Collector, to be expended on authorization of Tax Collector	2,855.04
Jailor	3,546.00
Assistant Jailor	408.00
Five Deputy Sheriffs	24,470.40
County Attorney	1,500.00
County Treasurer	2,937.00
Clerical Help for Treasurer	2,855.04
County Auditor	2,937.04
Assistant Auditor	4,894.08
Joint Clerical Help for Auditor and Treasurer	2,855.04
Probate Judge	5,710.08
Clerical Help for Probate Judge	2,855.04
Coroner	1,534.08
County Supervisor	5,710.08
Two Commissioners @ $1,631.60 each	3,263.20
Clerk of County Board	4,894.08
Clerical Help for Board of Commissioners and Delegation	2,855.04
Assistant County Agent	1,260.00
County Agent	1,260.00
Provided, Clemson University Extension Service reimburses the Assistant County Agent of Newberry County to the amount of four hundred eighty dollars.	
Building and Grounds Custodian	1,200.00
Magistrates as follows:	
District No. 1, Whitmire	1,854.00
District No. 2, Newberry	4,450.08
Clerical Help	1,349.00

District No. 3, Prosperity	1,484.04
District No. 4, Pomaria	989.04
District No. 5, Chappels	989.04
District No. 6, Little Mountain	989.04
Constables:	
District No. 1	3,263.04
District No. 2	3,263.04
District No. 3	1,110.00
District No. 4	849.00
District No. 5	1,371.00
District No. 6	800.04
Hostess for Community Hall	1,260.00
Keeper, Ladies' Rest Room	1,260.00
Keeper, Colored Rest Room	1,039.00
Newberry County Board of Registration	742.04
Welfare Department, Salary Supplement	6,192.00

Provided, that the Sheriff be allowed the fees for dieting federal and county prisoners according to the dieting fees allowed by Federal and State authorities; and *provided,* further, that the Treasurer is hereby authorized to pay all exchange charges by the banks on checks given in payment of taxes. *Provided,* further, that all monies received by the Treasurer from the State for the County Service Officer shall be paid to the Newberry County Service Officer as salary in twelve equal monthly installments.

Total, Item 1	$137,524.00
Item 2. Supervisor's Office:	
(a) Chain gang maintenance	$ 25,000.00
(b) For repairs on public buildings, contingent expenses and supplies:	
(1) Telephone Service	3,900.00
(2) Water and Lights	3,200.00
(3) Fuel	3,800.00
(4) Insurance	2,200.00
(5) Repairs	4,000.00
(6) Janitor Supplies	1,000.00
(c) For Road Maintenance	60,000.00

	Provided, that any unexpended funds appropriated for this purpose for the fiscal year 1964-1965 shall be added to the funds hereby appropriated.	
	(d) For purchase of Truck, Repair of Equipment and Machinery, and Cement Pipe	6,000.00
	(e) Miscellaneous Contingent Fund	10,000.00
	Provided, $5,000.00 of the above sum shall be spent upon the approval of the legislative delegation, and $5,000.00 shall be spent upon the approval of the County Board of Commissioners.	
	Total, Item 2	$119,100.00
Item 3.	For books, stationery, postage, printing and rebinding books and records in the County Courthouse, if so much be necessary	$ 7,500.00
	Total, Item 3	$ 7,500.00
Item 4.	Miscellaneous and Contingent Expenses to be applied as follows:	
	Uniforms for five Deputy Sheriffs	$ 1,250.00
	For premiums on bonds of county officers, if so much be necessary	850.00
	Travel, County Auditor	300.00
	Welfare Worker, Travel Expense at nine cents per mile, if so much be necessary	600.00
	Stenographer, Home Demonstration Agent's Office	964.00
	Travel for building and grounds custodian ..	180.00
	Travel for tax collector	300.00
	Official expense for supervisor	300.00
	Expense for development board	6,000.00
	Office rent and telephone, Magistrate (Dist. 3)	240.00
	Stenographer, County Agent's Office	480.00
	Postage, Office Incidentals and Demonstration Material for:	
	Home Demonstration Agent	150.00
	County Agent	150.00
	Boys' 4-H Club Work	75.00
	Negro Boys' 4-H Club Work	75.00
	Girls' 4-H Club Work	75.00

	Negro Girls' 4-H Club Work	75.00
	For Negro Home Demonstration Agent	1,123.92
	Expenses, Negro Home Demonstration Agent	100.00
	Clerical Help for Negro Home Demonstration Agent	1,701.00
	Rent for colored Home Demonstration Agent and County Agent	320.00
	Expenses, Negro County Agent	75.00
	For printing, in county newspaper, itemized quarterly reports of expenditures by the County Board of Commissioners	660.00
	For Regional Library	8,600.00
	Fuel, Whitmire Public Library	400.00
	To S. C. Industrial Commission, Workmen's Compensation Act	3,500.00
	To S. C. Retirement Fund and Insurance	19,000.00
	Social Security	7,240.00
	Emergency Relief	1,700.00
	Newberry County Girl Scouts	75.00
	Newberry County Boy Scouts	75.00
	To County Treasurer for handling Documentary Stamps	300.00
	For County Audit	1,500.00
	County Health Work	8,000.00
	For County Artificial Breeding Association	1,000.00
	For the purpose of a new automobile and radio for Sheriff's office, if so much be necessary	2,000.00
	Expenses of Service Officer	500.00
	Travel for Coroner, payable $25.00 monthly	300.00
	Members, County Board of Public Welfare at $360.00 each	1,080.00
	For maintenance of car radios for Sheriff's office at $30.00 per month	360.00
	For expenses of Clerk of Court in handling non-support cases	300.00
	Total, Item 4	$ 71,973.92
Item 5.	Board of Equalization and Board of Assessors	$ 2,100.00
	Total, Item 5	$ 2,100.00

Item 6.	For expenses of Court of Common Pleas and General Sessions, if so much be necessary	$ 6,500.00
	Provided, jurors and bailiffs shall be paid seven dollars and fifty cents per day.	
	Total, Item 6	$ 6,500.00
Item 7.	For dieting prisoners @ ninety cents per day, if so much be necessary	$ 5,500.00
	Total, Item 7	$ 5,500.00
Item 8.	Post Mortems and Lunacy and Coroner's Inquests, if so much be necessary	$ 900.00
	Total, Item 8	$ 900.00
Item 9.	Company Maintenance Funds, National Guard Co. K, 218th Infantry, Whitmire	$ 1,200.00
	Custodian, Newberry National Guard Armory	2,500.00
	Total, Item 9	$ 3,700.00
Item 10.	Official Expense for Deputy Sheriffs, to be paid in monthly installments of $15.00 each ..	$ 900.00
	Fingerprinting expense for Sheriff's office	300.00
	Total, Item 10	$ 1,200.00
Item 11.	Board of Rural Fire Control, to be paid upon approval of a majority of the Board	$ 10,000.00
	Total, Item 11	$ 10,000.00
Item 12.	Rent, Civil Defense Office (county's share) ..	$ 600.00
	Supplies and equipment maintenance, Civil Defense office	5,000.00
	Civil Defense Director	1,744.30
	Clerical help for Civil Defense (county's share)	1,543.50
	Provided, no expenditure in excess of $500.00 shall be made from this fund without the prior written approval of the legislative delegation.	
	Total, Item 12	$ 8,887.80
	GRAND TOTAL	$374,885.72

SECTION 2. All salaries herein provided shall be for the fiscal year 1965-1966 and shall be paid monthly.

SECTION 3. All revenue and income accruing to the County of Newberry in 1965-1966 from other sources than from the taxes herein provided shall be used for meeting the appropriation herein made.

SECTION 4. The county auditor is hereby authorized, empowered, directed and required to levy upon all of the taxable property in Newberry County for the year beginning July 1, 1965, after taking into consideration funds accruing to the county from the State and all other sources, a sufficient tax levy to raise a sufficient sum of money to pay interest on the county indebtedness and all appropriations made herein inclusively.

SECTION 5. A special levy of one mill for the year beginning July 1, 1965, is hereby levied and directed to be collected on all real and personal property of Newberry County returned for taxation, for the exclusive purpose of creating a fund for the Newberry County Hospital.

SECTION 6. The Newberry County Legislative Delegation is hereby vested with full power and authority to order an audit during the year 1965-1966 of any and all departments, offices and officers of Newberry County.

SECTION 7. The penalty of three per cent on delinquent taxes shall go to Newberry County; *provided*, however, that the delinquent tax collector of Newberry County and his authorized agents and deputies shall be entitled to the mileage actually traveled and allowed by law for one trip only to each delinquent.

SECTION 8. The Treasurer of Newberry County is hereby authorized and empowered to borrow such money as is necessary to meet the ordinary expenses of Newberry County.

SECTION 9. This act shall take effect upon approval by the Governor.

Approved the 28th day of January, 1965.

(R45, H1124)

No. 678

An Act To Create The Newberry County Historical Commission And To Provide For Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Newberry County Historical Commission created.—There is hereby created the Newberry County Historical Commission, to be composed of seven members, who shall be appointed by the Governor upon the recommendation of the majority of the county legislative delegation, including the Senator. The original appointments shall be made as follows: two for a term of two years, two for a term of four years and three for a term of six years; thereafter all appointments shall be made for six years. All vacancies shall be filled by appointment for the unexpired term.

SECTION 2. Officers.—The members of the Historical Commission shall elect one of its members chairman and one of its members vice-chairman. The officers so elected shall serve for one year or until their successors have been elected.

SECTION 3. Powers and duties.—The Historical Commission shall have the following powers and duties:

(1) To procure such documents, transcripts and other materials relating to the county as it may deem necessary or important;

(2) To take care and custody of the archives of the county;

(3) To adopt a seal and make rules for its own government;

(4) To have direction and control over the marking of historical sites;

(5) To acquire historical sites by purchase or otherwise at its discretion;

(6) To accept donations; and

(7) To employ a secretary, who shall serve at the pleasure of the commission, receive such remuneration as the commission may determine and perform such duties as the commission may direct.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of February, 1965.

(R67, H1171)

No. 679

An Act Creating The Newberry County Nursing Home Commission And Defining Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Newberry County Nursing Home Commission created.—There is hereby created the Newberry County Nursing Home Commission which shall be composed of seven members who shall be appointed by the Governor upon the recommendation of the legislative delegation. The original appointments shall be: two for one year, two for two years, two for three years, and one for four years; thereafter, all appointments shall be for four years. Any vacancy shall be filled by appointment for the unexpired portion of the term. As soon as practicable after all appointments have been made, the commission shall meet and elect such officers as it deems necessary. Four of the members shall constitute a quorum for the purpose of transacting any business.

SECTION 2. Duties.—The commission is charged with the duty of formulating policies for the operation of the nursing home and shall employ all personnel. The commission may promulgate such rules and regulations as it deems necessary relating to the operating of the nursing home.

SECTION 3. Report and budget.—The commission shall submit an annual report at the end of the fiscal year to the county legislative delegation and, upon request, shall submit an itemized budget for operations for the ensuing fiscal year.

SECTION 4. Per diem and mileage.—Members of the commission shall be paid per diem and mileage as authorized for members of boards, commissions and committees.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of February, 1965.

(R246, H1449) **No. 680**

An Act To Amend Sections 1 And 4 Of Act No. 789 Of 1952, Relating To The Establishment Of The Clinton Newberry Natural Gas Authority, So As To Permit The Authority To Build Additional Transmission Facilities.

Whereas, the General Assembly finds that by Act No. 789 of 1952, it did create the Clinton Newberry Natural Gas Authority (the Authority) and did commit to it the function of constructing a single gas transmission line from a point from Newberry to Clinton and from thence to the main transmission line of Transcontinental Gas Pipe Line Company (Transcontinental) at or near Fountain Inn, in order that such line might serve distribution systems for each of Clinton and Newberry and their surrounding territories. The Authority has performed the functions committed to it, and in pursuance of the powers thus granted, constructed a single six-inch transmission line. It has now developed that the demand for gas has reached a point where the existing transmission line is inadequate, resulting in a need for additional transmission facilities.

The question has arisen as to whether the language of Act 789 permits the construction of additional transmission facilities and to remove such question, and to enable the Authority to construct additional transmission facilities, it has been determined that Act 789 of 1952 should be appropriately amended. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 1 of Act 789 of 1952 amended—Clinton Newberry Natural Gas Authority created.—Section 1 of Act 789 of 1952 is amended by striking it out and inserting in lieu thereof the following:

"Section 1. There is hereby created a body corporate and politic of perpetual succession to be known as the Clinton Newberry Natural Gas Authority (hereinafter sometimes referred to as the authority). It shall be the function of the authority to cause the construction of such natural gas transmission lines and transmission facilities (including, if necessary, compressor units) as may be necessary in order that natural gas may be transmitted from the main transmission line of Transcontinental Gas Pipe Line Company at or near Fountain Inn, in order to serve transmission systems for each of Clinton and Newberry and their surrounding territories, and to continuously operate, maintain, improve and enlarge such project."

SECTION 2. Section 4 of Act 789 of 1952 amended—powers and duties.—Section 4 of Act 789 of 1952 is amended by striking out paragraph 6 and inserting in lieu thereof the following:

"6. To build, construct, maintain and operate transmission lines and facilities which shall extend from Newberry to Clinton, and thence to the main transmission line of Transcontinental Gas Pipe Line Company, at or near Fountain Inn, and from time to time to enlarge, improve and extend the same."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of April, 1965.

(R328, H1582)

No. 681

A Joint Resolution Proposing An Amendment To Section 5 Of Article X Of The Constitution Of South Carolina, 1895, Relating To The Limit Of Bonded Indebtedness Of Certain Political Subdivisions, So As To Permit The Newberry County School District To Incur Bonded Indebtedness Up To Fifteen Per Cent Of The Assessed Value Of The Taxable Property Therein, And To Exclude Such Indebtedness From The Limitation Of Aggregate Indebtedness Upon Any Municipality Or Political Subdivision Of The County Or State Covering Or Partially Extending Over The Territory Of The District.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Amendment to Article X, Section 5, State Constitution, proposed—bonded indebtedness of Newberry County School District.—There is proposed the following amendment to Section 5 of Article X of the Constitution of this State: add at the end of the section the following proviso: *"Provided,* that the limitations as to bonded indebtedness imposed by this section shall not apply to the bonded indebtedness of the Newberry County School District and the school district may incur bonded debt to the extent of not exceeding fifteen per cent of the assessed value of all taxable property therein. The bonded indebtedness of the district shall not be considered in determining the power to incur indebtedness by any municipality or political subdivision of the county or State covering or partially extending over the territory of such district."

SECTION 2. Submission to electors.—The proposed amendment shall be submitted to the qualified electors at the next general election for representatives. Ballots shall be provided at the various voting precincts with the following words printed or written thereon: "Shall Section 5 of Article X of the Constitution of this State be amended so as to permit the Newberry County School District to increase its bonded indebtedness up to fifteen per cent of the assessed value of the taxable property therein, and to exclude such indebtedness from he limitation of aggregate indebtedness upon any municipality or political subdivision of the county or State covering or partially extending over the territory of the district?

In favor of the amendment ☐
Opposed to the amendment ☐

Those voting in favor of the amendment shall deposit a ballot with a check or cross mark in the square after the words 'In favor of the amendment,' and those voting against the amendment shall deposit a ballot with a check or cross mark in the square after the words 'Opposed to the amendment.' "

Ratified the 27th day of April, 1965.

(R663, H1886)

No. 682

An Act To Authorize The Board Of Trustees Of The School District Of Oconee County To Borrow Not Exceeding One Million Four Hundred Seventy-Two Thousand Five Hundred Dollars For School Purposes, And To Provide For The Payment Of The Loan.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. School District of Oconee County may borrow money.—The Board of Trustees of the School District of Oconee County is hereby authorized to borrow from time to time for additional public school facilities not exceeding one million four hundred seventy-two thousand five hundred dollars. The amount borrowed shall be evidenced by a note or notes of the school district to be executed by the chairman of the board and the treasurer of the county. The notes shall bear interest not to exceed four per cent per annum from the date thereof and shall be payable upon

such occasions as the parties may agree, but not sooner than twelve months from the date of such notes. *Provided,* the district shall reserve the right to anticipate the payment of part or all of any note at any time following six months from the date of such note.

Of the monies borrowed, no more than the following amounts shall be expended on the following projects:

Seneca High	$740,000.00
Walhalla High	202,500.00
East End Elementary	250,000.00
Westminster High	110,000.00
Oakway High	120,000.00
Area Trade School	50,000.00

SECTION 2. Payment.—For the payment of all notes issued pursuant to this act, the auditor shall levy and the treasurer shall collect an annual tax on all of the taxable property of the district sufficient to retire the notes and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the notes, inclusive of the interest, with the payment in full thereof at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the district are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Payment further.—Should the money be borrowed from the Division of General Services and should there be default in the payment of any installment, the State Treasurer is directed to withhold all State funds accruing to the district, which have not heretofore been pledged, for the payment of such installment and shall transmit the funds so withheld to the Division of General Services.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R714, H1794) **No. 683**

An Act To Provide For The Levy Of Taxes And Make Appropriations In Oconee County For School And County Purposes; To Provide For The Borrowing Of Money In Anticipation Of The Collection Of Taxes; And To Make Appropriations And Direct The Expenditure Thereof For The Fiscal Year Beginning July 1, 1965.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The Auditor of Oconee County is hereby authorized and directed to levy, with the approval of a majority of the legislative delegation, and the treasurer to collect, a sufficient millage on taxable property of Oconee County to meet ordinary county purposes herein appropriated for the year beginning July 1, 1965, and ending June 30, 1966, and a sufficient levy for the payment of any outstanding bonded indebtedness.

SECTION 2. From the General Fund of the county and the revenue derived under the provisions of Section 1 of this act, the following appropriations are hereby made, to be expended in conformity with the directions herein specified.

Item 1.

A-1. Chain gang ..... $ 22,000.00

A-2. Roads, bridges, rock crusher, labor and replacement of parts, trucks and machinery 175,000.00
The above amount shall come from any surplus gasoline tax and the General Fund of the county. *Provided,* that $15,000.00 of the $175,000.00 is prorated for services and materials used in incorporated towns of Oconee County. The funds shall be prorated between municipal corporations of Oconee County according to the assessed valuation; *provided,* further, no municipal corporation shall receive less than $800.00 regardless of assessment.

B. Road bonds and interest 5,000.00
So much of the gasoline tax fund derived from the one-cent gasoline tax received by the county, as shall be necessary to repay the principal and interest on road bonds due and payable in the

fiscal year 1965-1966, shall be set aside monthly by the Treasurer of Oconee County to anticipate the payment of the principal and interest in the amount listed above.

C. Paved roads and resurfacing old paved roads . . . $ 65,000.00
Provided, each and every road paved shall be set up by project number, and it shall be the duty of the Supervisor to see that proper records are kept on each project, showing expenditures and to what purposes.

Item 2. A. Operation and maintenance of county farm to include salary of steward and matron and purchases that may become necessary . . . . . $ 11,000.00
Provided, when other facilities become available, this account shall be closed.

The appropriation made in Item 1 and Item 2 shall be expended as may be necessary by the supervisor and county board of commissioners to the purposes above-mentioned in an economical and businesslike manner, and to that end the following procedure shall be observed:

a. The supervisor and members of the board of commissioners are expressly charged with the duty of limiting the expenditures to one-fourth of the annual appropriation in any three-month period, with the exception of Item 1-C, Paved roads, which shall be limited to a six months' period, and any obligation in excess thereof shall be null and void and shall not be an obligation of the county. Failure to comply with this provision shall constitute negligence of office.

b. All salaries and wages of employees which come under the jurisdiction of the county supervisor, and the salaries and wages which come under the jurisdiction of the county board of commissioners, shall be fixed before any such employment may be effective. The supervision of all employees covered by Item 1 and Item 2 shall be the sole responsibility of the supervisor.

c. All purchases of supplies, materials, lumber, gas and oils, and machinery shall be made by the supervisor and board of commissioners after public advertisement for at least ten days or advertisement in two issues of a newspaper published in Oconee County, and purchases shall be made on a basis of economies effected and distribution of contract among suppliers.

d. Food purchases for Item 1 and Item 2 shall be purchased from wholesale companies in Oconee County where possible.

e. Emergency purchases not to exceed eight hundred dollars may be made by the county supervisor without bids and advertisement. *Provided,* that in such cases where machinery or equipment is in need of repair and idle that the same may be repaired by the supervisor without bids.

Item 3.	Salaries:	
	A. Clerk of Court	$ 5,830.00
	1st Clerk	3,750.00
	2nd Clerk	3,750.00
	3rd Clerk	3,310.00
	Office supplies	6,000.00
	B. Treasurer	1,669.00
	Clerk	3,640.00
	Extra clerical hire	1,470.00
	Office supplies	2,280.00
	C. Auditor	1,669.00
	1st Clerk	3,310.00
	2nd Clerk	3,090.00
	Office supplies	800.00
	D. Supervisor	6,155.00
	Clerk	3,750.00
	Office supplies	1,000.00
	E. Judge of Probate	4,830.00
	Clerk	3,640.00
	Office supplies	1,800.00
	Travel expense	360.00
	F. Comptroller	5,380.00
	Clerk	3,750.00
	Office supplies	400.00
	G. County Physician	900.00
	H. County Attorney	900.00
	Provided, that additional compensation shall be authorized by the supervisor and county board of commissioners in litigation, to be paid from the contingent fund.	
	I. Coroner	1,600.00
	Travel	360.00
	Office supplies	50.00
	J. Custodian of courthouse and county offices	3,500.00

K. Members Board of Commissioners, salary, five at $600.00 each	3,000.00
Travel, five at $600.00 each	3,000.00
Provided, travel is done in own vehicles at own expense and not in county vehicles.	
L. Tax Collector	5,380.00
Travel	360.00
Clerk	3,530.00
Office supplies	600.00
M. Law Enforcement:	
Sheriff's salary	6,155.00
Chief Deputy Sheriff, salary	4,850.00
9 Deputies, at $4,630.00 each	41,670.00
Uniforms, Sheriff and Deputies, 10 @ $200.00 each	2,000.00
Provided, that uniforms shall be purchased by the Sheriff's Department and shall be signed for and shall remain the property of Oconee County. *Provided,* further, that within one year after the employment of any Deputy Sheriff, he must attend and graduate from the Law Enforcement School for Officers.	
Gasoline	5,000.00
Provided, all fees accruing to the Sheriff and Deputies shall be returned to the General Fund of the county.	
Clerk	3,090.00
Maintenance	5,000.00
Repair of automobiles for Sheriff and Deputies.	
Jailors	4,850.00
Salaries to be set by Sheriff.	
Industrial Constables	2,600.00
Industrial Constables, travel	700.00
Such constables shall work in cooperation with the Sheriff's office.	
Office supplies	500.00
N. Magistrates:	
Seneca	1,365.00
Walhalla	1,365.00
Westminster	1,365.00

	Salem	790.00
	Oakway	790.00
	Office supplies	210.00
	To be approved by County Comptroller prior to purchase.	
	O. Miscellaneous:	
	Home Demonstration Stenographer, supplement	1,680.00
	Farm Agent Stenographer, supplement	1,200.00
	Supplement to clerical assistant to Probation Officer	315.00
Item 4.	Boards:	
	A. Board of Tax Appeals	300.00
	Board of Assessors to be paid from the General Contingent Fund with the approval of the delegation.	
	B. Sinking Fund Commission, 3 members @ $50.00 each	150.00
Item 5.	Contributions:	
	A. Supplies and telephone, Home Demonstration Agent	200.00
	B. Supplies, Farm Agent	100.00
	C. Boys' 4-H Club work	150.00
	D. Girls' 4-H Club work	150.00
	E. Future Farmers' Chapter	100.00
	F. Junior Homemakers' Chapter	100.00
	G. Maintenance, 4-H Club Center	300.00
	H. Travel for 2 fire wardens @ $550.00 each	1,100.00
	I. Vocational Trade and Industrial Club work	150.00
Item 6.	Oconee County Library Commission	$ 24,500.00
Item 7.	Juvenile and Domestic Relations Court:	
	Judge, salary	$ 6,500.00
	Clerical help	3,090.00
	Supplies	500.00
	To be expended on the approval of the legislative delegation.	
Item 8.	Court Expenses	$ 10,000.00
	A. *Provided,* petit jurors and grand jurors shall be paid seven dollars per day, and witnesses one dollar per day in actual attendance.	

B. Magistrate and coroner jurors shall be paid one dollar per day.

Item 9. Operating of jail, including feeding prisoners . . $ 6,000.00
(Upon presentation of itemized and notarized claims, to include kitchen supervisor)
Purchases, other than food, to be made by supervisor.

Item 10. Public Welfare:

A. Emergency relief . . . . . $ 5,000.00
Provided, that no more than fifty per cent shall be expended in any one quarter. *Provided,* further, that no more than fifty per cent shall be expended in six months.

B. Board of Public Welfare, 3 members @ $60.00 each 180.00

C. Travel for 2 Child Welfare Workers 1,800.00

Item 11. Lunacy and Inquest 1,200.00

Item 12. Public buildings, upkeep and maintenance (all purchases to be made by the supervisor) 10,000.00

Item 13. Books, printing, postage, etc., as specified in Office Supplies. *Provided,* that no office equipment shall be purchased with these funds.

Item 14. Bond premiums and insurance . . . . . $ 6,500.00

Item 15. Telephone account . . . . . $ 2,500.00
Provided, a monthly itemized statement shall be rendered showing the necessity for each long distance toll charge.

Item 16. County Health Unit . . . . . $ 17,000.00

Item 17. County Planning Board . . . . . $ 8,500.00

Item 18. County Service Officer, county's part . . . . . $ 4,570.00

Item 19. County Hospital . . . . . $ 5,000.00

Item 20. Contingent Fund . . . . . $ 10,000.00
Provided, that this fund shall be expended only upon the written approval of a majority of the legislative delegation.

Item 21. General Contingent . . . . . $ 7,500.00
Provided, that rentals, magistrates' telephones and miscellaneous obligations, including an annual audit of books and records of Oconee County shall be paid therefrom.

Item 22.	National Defense:	
	Seneca Unit	$ 1,200.00
	Clemson Unit	800.00
Item 23.	Retirement and Social Security, county's part	$ 25,000.00
Item 24.	Law Enforcement Travel—out of county travel	$ 1,000.00
	The Sheriff or his Deputies, when on necessary official duty beyond the limits of the county, shall be paid actual expenses, not to exceed ten dollars per day. Before being paid, he shall present itemized and notarized vouchers for mileage and receipted bills for expenses.	
Item 25.	Artificial Insemination Program	$ 2,000.00
	Provided, this fund shall be disbursed upon approval of the Board of Directors of the Oconee County Artificial Insemination Organization.	
Item 26.	Soil and Water Conservation	$ 2,000.00
	Provided, that such funds shall be used only in the maintenance and operation of watershed projects.	
Item 27.	Civil Defense	$ 3,350.00
	To be expended upon the approval of the legislative delegation.	
Item 28.	Rural Fire Control Commission	$ 2,000.00
	To be expended upon the approval of the legislative delegation.	
Item 29.	Tri-County Mental Health Commission	$ 7,500.00
Item 30.	Tri-County Technical Education Center	$ 7,160.00
Item 31.	Supplement to Community School Program	$ 5,000.00
	TOTAL	$648,458.00
	Estimated Revenue other than Taxes:	
	Gasoline Tax	$125,000.00
	Alcoholic Liquor Tax	38,000.00
	Beer and Wine Tax	10,000.00
	Bank Tax	3,000.00
	Insurance License Fees	18,000.00
	Income Tax	50,000.00
	National Forest Fund	23,000.00
	Magistrates' Fines	32,000.00

Judge of Probate, fees	3,000.00
Clerk of Court	32,500.00
Other fees and forfeitures	5,000.00
TOTAL	$339,500.00
Amount to be raised by taxes	$308,958.00

SECTION 3. The board of commissioners shall include the supervisor wherever the term board of commissioners is used in the appropriations act.

SECTION 4. A tax of forty-four mills is hereby laid upon all taxable property of Oconee County for general school purposes, and the Auditor of Oconee County is hereby authorized and directed to levy the tax laid, and the treasurer is required to collect the revenues arising therefrom, and the revenues shall be used by the Oconee County Board of Trustees of the School District of Oconee County for administration, the supplementation of teachers' salaries, maintenance and operation of all schools located in the School District of Oconee County. *Provided,* that one mill shall be used for the community school program.

SECTION 5. The Auditor of Oconee County is hereby directed to prepare a tax return for each automobile in Oconee County as reported by the South Carolina Highway Department from vehicle registration. The Auditor, Treasurer and Tax Collector of Oconee County are further enjoined to adopt such procedures and methods as shall assist the taxpayers and South Carolina Highway Department in complying with the acts of the General Assembly providing for the payment of property tax on motor vehicles before issuance of registration and license by the South Carolina Highway Department.

SECTION 6. The tax collector shall assist the auditor wherever possible in returning any property for taxation not otherwise returned or where individuals or firms have failed to make returns.

SECTION 7. No fund shall be transferred from one account to another without the written consent of the Oconee County Legislative Delegation. The legislative delegation is hereby empowered to transfer from the general fund or any fund of the county, and supplement any appropriation herein made, and the treasurer, the board

of commissioners, and comptroller of the county shall honor such transfers and comply with the terms thereof.

SECTION 8. The board of commissioners shall see that proper records are kept of the chain gang, showing all expenditures and for what purposes, also the number of convicts of the chain gang each day, number received and dismissed, with their names, also kind of work being done by convicts. It shall be the duty of the board of commissioners to see that proper records are kept of all the operations of the county farm, showing all expenditures and receipts, total number of acres being farmed and the market value of all commodities produced. The board of commissioners is hereby requested to inspect all county buildings, including county home, jail and chain gang each month to see that they are kept in a clean and sanitary condition. The board of commissioners shall inspect all highway construction and see that all work is being done properly. It shall be the duty of the board of commissioners to keep a complete record (pertaining to Item 1, A-2) showing allocations to each incorporated town, expenditures, and to what purpose.

SECTION 9. The supervisor shall furnish to the board of commissioners an accurate inventory of all supplies and materials and parts. Such inventory shall be made on the first day of each month. The board of commissioners shall use such inventory as a guide for purchasing.

SECTION 10. All past transfers of funds by order of the members of the previous and present legislative delegation are hereby validated and confirmed.

SECTION 11. The Treasurer and Board of Commissioners of Oconee County are hereby authorized and empowered, if need be, to borrow in the name of the county an amount not to exceed fifty per cent of the appropriation herein made, and in anticipation of the collection of taxes to meet the operating expenses of the county for the current fiscal year July 1, 1965, to June 30, 1966, and to execute obligations in the name of the county for the sum so borrowed, which shall bear the lowest rate of interest possible. The taxes levied to meet the appropriations of this act shall be pledged to secure payment of the sum so borrowed, with interest thereon, and such obligation shall be executed by the county treasurer and the board of commissioners. Each bank in Oconee County shall be allowed to

submit a bid for the total or any portion of the amounts herein authorized to be borrowed, and the officers are empowered to reject any and all bids made therefor.

SECTION 12. The treasurer, upon written request of the county board of education, is hereby empowered and authorized, if need be, to borrow in the name of the schools an amount not to exceed fifty per cent of the appropriation herein made and in anticipation of the collection of taxes to meet the operating expenses of the schools for the current fiscal year July 1, 1965, to June 30, 1966, and to execute obligations in the name of the schools for the sum so borrowed, which shall bear the lowest rate of interest possible. The tax levied to meet the appropriations of this act shall be pledged to secure payment of the sum so borrowed, with interest thereon, and such obligations shall be executed by the county treasurer and county board of education. Each bank in Oconee County shall be allowed to submit a bid for the total or any portion of the amounts herein authorized to be borrowed, and the officers are empowered to reject any or all bids made therefor.

SECTION 13. The treasurer, upon written request of the county board of education, is hereby authorized and empowered, if need be, to transfer to school transportation account and to school teacher salary account, from the general fund of the county, not to exceed fifty per cent of the appropriation herein made, in anticipation of the collection of taxes to meet the operating expenses of the schools. Upon the collection of the taxes levied for the operation of schools, the sums so transferred shall be refunded to the general fund of the county.

SECTION 14. The treasurer, upon written request of the county board of commissioners, is hereby authorized and empowered, if need be, to transfer to the general fund of the schools, funds, not to exceed fifty per cent of the appropriation herein made in the anticipation of the collection of taxes to meet the operating expenses of the county. Upon collection of the taxes levied for ordinary county purposes, the sums so transferred shall be refunded to the school funds of the county.

SECTION 15. The county superintendent of education, or officer designated by the board of trustees, is authorized to approve claims for teachers' salaries and transportation, and the Treasurer of Oconee County is authorized to pay same from any school fund in anticipation

of the receipts of monthly State aid and transportation; *provided,* such claims do not exceed fifty per cent of anticipated monthly State aid and transportation; and *provided,* further, such payments do not exceed fifty per cent of the total amount of school funds on deposit in the banks of Oconee County.

SECTION 16. Before purchase or contracting for the purchase of any equipment, materials, supplies, goods, wares, merchandise, services or anything whatsoever needed and used for county purposes, such department head or heads, not to include the superintendent of education, shall make requisition by order or voucher to the county comptroller's office whereupon it must be certified as to the availability of funds before any purchase is made. Petty cash funds are hereby authorized if such be necessary to carry out this section.

SECTION 17. When such purchasing or placing of orders is made, the equipment, materials, goods, wares, merchandise or services needed shall be purchased from firms or individuals within this State whenever such firms or individuals are reliable and offer equipment, materials, goods, wares, merchandise or services of equal quality and specifications with like goods from outside the State and at a price equal to or less than the price submitted by such nonresident bidders.

SECTION 18. All claims for supplies and services furnished to the county during any calendar month shall be paid on the sixth day of each month. If this date should fall on a holiday, claims will be paid the following day. Should the sixth day of the month fall on Saturday or Sunday, claims will be paid the following Monday. All claims against the county must be passed on by the comptroller as to the availability of the funds for the payment of same. The county comptroller and the board of commissioners shall at all times maintain in their respective offices a list of all claims paid during the preceding month, showing the payee and the amount, and the records shall be at all times subject to public inspection.

SECTION 19. The appropriation herein made shall not be exceeded and any officer incurring indebtedness on the part of the county in excess of the appropriation herein made shall be liable upon his official bond therefor. Any claims presented to the county for payment and remaining unpaid after the monthly meetings of the board of commissioners shall be listed by the clerk and reported to the

treasurer and comptroller within ten days. If no claims remain unpaid, the clerk shall so report.

SECTION 20. No employee of the county shall sell any services, or materials, or hold any office that shall conflict with the hours for which they receive pay from the county or in the performance of their official duties, except that a department or agency may at its own discretion grant a leave of absence for the period of such conflict. *Provided,* in case of such a leave of absence the department granting the leave of absence shall employ a qualified substitute for the duration of the leave of absence. All county offices shall be open during lunch hour except in an emergency. As to holidays, the county offices may close on days legally observed by the State.

SECTION 21. All recipients of county funds who are not a part of the county government, namely: Farm Agent; Home Agent; Boys' 4-H Club; Girls' 4-H Club; Future Farmers; Junior Homemakers Club; Oconee Hospital; Planning Board; Artificial Insemination; National Defense, Clemson and Seneca Units; and Soil and Water Conservation Board shall furnish an itemized statement of the money spent from the appropriation to that organization. This statement shall be filed with the county board of commissioners and delegation no later than thirty days following the end of the fiscal year.

SECTION 22. Salaries for ordinary clerical employment shall be based on the following schedule:

Beginning or probationary period	$ 2,870.00
After six months' service	3,090.00
After two years' service	3,310.00
After five years' service	3,530.00
After eight years' service	3,640.00
After ten years' service	3,750.00

The term service shall mean continuous employment except upon official leave of absence granted by the department head.

PART II

Permanent Provisions

Notwithstanding any other provisions of law, in the Juvenile-Domestic Relations Court of Oconee County the fee for uncontested divorces shall be ten dollars, five dollars of which shall be paid upon

the filing of the divorce proceedings and the remaining five dollars to be paid on the day of the hearing. In contested divorces the fee shall be twenty-five dollars.

End of Part II

This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R20, H1038) **No. 684**

An Act To Authorize The Trustees Of Orangeburg County School District No. 5 To Borrow Not Exceeding One Hundred Sixty Thousand Dollars To Be Used For School Purposes, And To Provide For The Payment Of Such Loan.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Orangeburg School District 5 may borrow money. —The Board of Trustees of School District No. 5 of Orangeburg County is hereby authorized to borrow not exceeding one hundred sixty thousand dollars from the Division of General Services, or any other lending agency at the lowest interest rate available, for the purpose of constructing additional facilities, making additions to existing buildings, or for equipping such facilities for school purposes. The amount borrowed shall be evidenced by a note to be executed by each member of the Board of Trustees of School District No. 5 of Orangeburg County. The note shall bear interest at not exceeding four per cent per annum from the date thereof, interest to be paid annually, and shall be payable in two equal, annual installments, the first being payable in 1969, with the right to anticipate payment thereof at any annual interest paying period.

SECTION 2. Payment.—For the payment of the note the Board of Trustees of School District No. 5 shall pledge the annual grant from the State Educational Finance Commission for the repayment of the loan and the interest thereon.

SECTION 3. Payment further.—As additional security for the loan, in the event the annual grant to the school district by the State Educational Finance Commission shall be insufficient to pay the principal and interest on the loan, the Auditor of Orangeburg County

shall levy, and the Treasurer of Orangeburg County shall collect, an annual tax upon all of the taxable property of School District No. 5 of Orangeburg County sufficient to retire the loan and the interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note, inclusive of interest, in full, at which time the levy provided herein shall be terminated. In the event the school district may receive or have on hand any funds not otherwise pledged nor designated for a particular use, such funds may be used for payment of the loan and interest thereon.

SECTION 4. Payment further.—Should the money be borrowed from the Division of General Services and should there be default in any payment the State Treasurer shall withhold all state funds accruing to the district and transmit such funds to the Division of General Services.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of February, 1965.

(R26, H1069) **No. 685**

An Act To Make A Supplemental Appropriation For The Fiscal Year 1964-1965 From The General Fund Of Orangeburg County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The following supplemental appropriation for the fiscal year 1964-1965 is made from the General Fund of Orangeburg County:

Addition to Courthouse $5,000.00

Should any of this fund not be expended during the fiscal year, it shall be carried forward for the year 1965-1966.

SECTION 2. This act shall take effect upon approval by the Governor.

Approved the 4th day of February, 1965.

(R283, H1511) **No. 686**

An Act To Make A Supplemental Appropriation For The Fiscal Year 1964-1965 From The General Fund Of Orangeburg County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The following supplemental appropriation for the fiscal year 1964-1965 is made from the General Fund of Orangeburg County:

I. Maintenance of Roads	$ 10,000.00
43-C. Jail Expense	3,000.00
46-E. Uniforms and Equipment	1,000.00
50-A. Court Expense	1,800.00
54-F. Domestic Relations Court Expense	400.00
55-C. Post Mortems and Lunacies	800.00
80-A. Office Supplies and Equipment	10,000.00
80-D. Utilities and Supplies	4,000.00
80-K. Retirement & S. S. Matching Fund	2,500.00

SECTION 2. This act shall take effect upon approval by the Governor.

Approved the 12th day of April, 1965.

(R482, H1721) **No. 687**

An Act To Make A Supplemental Appropriation For The Fiscal Year 1964-1965 From The General Fund Of Orangeburg County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The following supplemental appropriation for the fiscal year 1964-1965 is made from the general fund of Orangeburg County:

Contingent Fund	$ 2,000.00

SECTION 2. This act shall take effect upon approval by the Governor.

Approved the 27th day of May, 1965.

(R571, H1754)

No. 688

An Act To Provide For The Operation Of Orangeburg County And The Welfare Of Its People During The Period From July 1, 1965, To June 30, 1966; To Direct County Activities; And To Levy Taxes For School Purposes And To Regulate Expenditures Of School And County Funds During The Period.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. For all county purposes and for the operation of Orangeburg County during the period beginning July 1, 1965, and ending June 30, 1966, the amounts stated herein are hereby appropriated; and there is hereby levied for the fiscal year 1965-1966 eight mills on all property in the county which, with other revenues accruing to the ordinary county fund, shall be used to pay amounts appropriated as follows:

Roads and Bridges:

1.	Maintenance of chain gang, purchase material, equipment and expense of maintenance of roads, bridges, public works and operation of pipe plant	$205,000.00
	Total, Roads and Bridges	$205,000.00

County Highway Commission:

4-A.	Salary, members of Highway Commission	$ 5,775.00
4-B.	Salary, clerk of Highway Commission	4,158.00
4-C.	Salary, County Attorney	1,260.00
	Provided, that the salary shall cover all services rendered the county except in actions in tort against the county.	
	Provided, further, that no other attorney shall be employed except with the approval of the county legislative delegation.	
4-D.	Salary, County Director	8,700.00
4-E.	Extra clerical help, Highway Commission	1,575.00
	Total, County Highway Commission	$ 21,468.00

County Treasurer:

10-A.	County's portion, salary, County Treasurer	$ 3,520.00
	Provided, that the county shall pay so much as will make his salary from county and State total $7,500.00.	

10-B.	Salary, Deputy, County Treasurer	5,775.00
10-C.	Clerical help, Treasurer's office	3,600.00
10-D.	Extra help (to be expended upon approval of the majority of the legislative delegation)	1,050.00
	Total, County Treasurer's office	$ 13,945.00

County Auditor:

15-A.	County's portion, salary, County Auditor ... *Provided,* that the county shall pay so much as will make his salary from the county and State total $7,500.00.	$ 3,520.00
15-B.	Salary, Deputy Auditor	5,775.00
15-C.	Clerical help, Auditor's office	6,300.00
15-D.	Traveling expenses, County Auditor	100.00
15-E.	Auditor's equalization fund	1,500.00
15-F.	Extra Assistance, Auditor's office (to be expended upon approval of the majority of the legislative delegation)	1,113.10
	Total, County Auditor	$ 18,308.10

Clerk of Court:

25-A.	Salary, Clerk of Court	$ 7,500.00
25-B.	Salary, Deputy Clerk of Court	5,775.00
25-C.	Salary, clerk, Clerk of Court	2,938.00
25-D.	Recording clerk in office of Clerk of Court	3,465.00
	Total, Clerk of Court	$ 19,678.00

Education Department:

30-A.	Superintendent of Education, office expense	675.00
30-B.	Salary, clerks to Superintendent of Education	5,876.00
30-C.	Supplement County Lunch Room Supervisor	788.00
30-D.	Superintendent of Education, county's portion of salary ... *Provided,* that only so much shall be paid as to make a total salary from the county and State of $7,500.00.	2,511.00
30-E.	Travel, Superintendent of Education	630.00
30-F.	Per diem and travel, members County Board of Education	4,000.00
30-G.	Travel, Attendance Teacher	400.00

30-H. Secretary to County Lunch Room Supervisor ..	2,520.00
32-A. Eye treatment and glasses, needy school children, to be spent under supervision of Attendance Teacher	300.00
Total, Education Department	$ 17,700.00

Library Department:

34-A. Salary, Librarian	$ 3,780.00
34-B. Salary, Assistant Librarian	2,457.00
34-D. Salary, Bookmobile Librarian	2,331.00
34-E. Salary, Bookmobile driver (part-time)	1,418.00
34-F. Salary, desk assistants (Main Library)	2,777.00
35-H. Salary, Librarian (Branch Library)	2,100.00
35-I. Salary, Assistant Librarian (Branch Library) ..	1,418.00
35-J. Salary, Bookmobile driver (Branch Library—part-time)	945.00
35-K. Salary, Custodian Holly Hill Library	368.00
35-L. Salary, Custodian Elloree Library	368.00
35-M. Books and periodicals	2,500.00
35-N. Supplies and binding expense	1,000.00
35-O. Travel, Library Commission	250.00
35-P. Bookmobile operation expense	700.00
35-Q. Miscellaneous expenses	1,200.00
35-S. Travel, Librarian	300.00
Total, Library Department	$ 23,912.00

Provided, that all funds appropriated herein for items 30-A through 35-S are appropriated directly to the Orangeburg County Board of Education to be expended and disbursed by the board in accordance with the provisions of this act. *Provided,* further, that any funds donated by the South Carolina Library Board shall be used for the purchase of books and any funds donated by the City of Orangeburg, or otherwise received, shall be used for miscellaneous expenses. *Provided,* further, that appropriation for miscellaneous expenses provided under 35-Q may be used for telephone, telegraph, furniture and equipment, insurance, water and lights,

heating, repairs, post office box rent and association meetings and dues. *Provided,* further, that the county director shall do the purchasing for the library and branch library except books, literature and minor items for the use in the maintenance thereof. *Provided,* further, that an itemized account of all receipts and disbursements of funds received other than from Orangeburg County shall be filed quarterly with the Orangeburg County Board of Education. *Provided,* further, that the sums set out hereinabove may be transferred by the County Board of Education to other designated items upon the written approval of the majority of the Orangeburg County Legislative Delegation.

Tax Collector:		
39-A. Salary, Tax Collector	$	6,350.00
39-B. Clerk and bookkeeper to Tax Collector		6,300.00
39-C. Special Assistance Tax Collector's office, to be expended upon approval of the majority of the Legislative Delegation		1,850.00
Total, Tax Collector's office	$	14,500.00
Law Enforcement:		
40-A. Salary, Sheriff	$	7,500.00
40-B. Expense in and outside the county		2,100.00
40-C. Clerk		3,150.00
43-A. Salary, Jailor		2,938.00
43-B. Dieting prisoners		12,000.00
Provided, that the Sheriff shall be allowed one dollar per day for dieting each prisoner; *provided,* however, that the day of admittance shall be excluded, and the day of discharge included in computing the number of prisoner days.		
43-C. Jail equipment, repairs, heating and miscellaneous expense		5,000.00
46-B. Salary, eleven deputies @ $3,780.00		41,580.00
46-C. Salary, Chief Deputy Sheriff		4,358.00
46-D. Travel, twelve Deputy Sheriff's @ $2,760.00		33,120.00
Provided, that the County Treasurer is author-		

ized to pay from 43-B claims of outside deputy sheriffs for feeding prisoners kept in their custody between the time of their arrests and transfer to jail or discharge. The per diem allowed the Sheriff shall be followed and each claim shall be itemized and approved by the magistrate in whose jurisdiction the arrest was made.

46-E. Purchase of uniforms and law enforcement equipment	3,400.00
46-F. Radio maintenance	3,600.00
46-G. Radio operator	1,670.00
46-H. Miscellaneous expense, Sheriff's office	500.00
46-I. Substitute Jailor	546.00
Total, Law Enforcement	$121,462.00

Judicial Department:

50-A. Court expense	$ 11,000.00

Provided, the court bailiff shall receive five dollars per day; *provided,* the chief bailiff to be designated by the Sheriff shall receive six dollars per day. *Provided,* further, that ten dollars may be paid for each transcript of testimony at Coroner's inquests, upon the approval of the Coroner. *Provided,* further, that in the event any capital cases are appealed to the Supreme court by lawyers appointed by the court to represent the defendant, the cost of printing record for appeal and brief for defense counsel shall be paid for from this item.

50-B. County audit, as contracted for by Orangeburg County Highway Commission, not to exceed	1,500.00
53-B. Salary, County Judge	12,200.00
53-C. Salary, stenographer for County Judge	4,620.00
53-D. Salary, court stenographer for county court work	1,050.00
53-E. Clerical help for Circuit Solicitor	1,260.00
53-F. Travel, Probation Officer	480.00
54-A. Salary, Domestic Relations Court Judge (part-time)	5,198.00
54-B. Salary, Stenographer, Domestic Relations Court	3,528.00

54-C. Salary, Clerk, Domestic Relations Court, part-time	1,200.00
54-D. Salary, Probation Counselor, Domestic Relations Court	6,122.00
54-E. Travel, Probation Counselor, Domestic Relations Court	2,100.00
54-F. Law Library, County Judge	100.00
54-G. Miscellaneous expense, Domestic Relations Court	600.00
54-H. Rent for office, J. M. Brailsford, Supreme Court Justice	960.00
54-I. Clerical help—Circuit judge	1,260.00
Total, Judicial Department	$ 53,178.00
Probate Judge:	
55-A. Salary, Judge of Probate	$ 7,500.00
55-B. Salary, Deputy Judge of Probate	4,800.00
55-C. Post mortems and lunacies	2,000.00
Total, Judge of Probate	$ 14,300.00
Magistrates (part-time):	
58-A. Salary, Magistrate at Orangeburg	$ 3,465.00
58-B. Full-time stenographic service for Magistrates at Orangeburg	2,400.00
59-A. Salary, Magistrate at North	1,386.00
59-B. Salary, Magistrate at Branchville	1,386.00
59-C. Salary, Magistrate at Bowman	1,248.00
59-D. Salary, Magistrate at Holly Hill	1,386.00
59-E. Salary, Magistrate at Elloree	1,386.00
59-F. Salary, Magistrate at Springfield	1,248.00
59-G. Salary, Magistrate at Cope	1,386.00
59-H. Salary, Magistrate at Neeses	693.00
59-I. Salary, Magistrate at Norway	1,248.00
59-J. Salary, Magistrate at Eutawville	1,248.00
Total, Magistrates	$ 18,480.00
County Health Work	$ 40,491.00
60-A. Rabies Control Officer	3,150.00
60-J. Meat inspections	18,000.00
Total, County Health Work	$ 61,641.00

Provided, that such sum of money shall supplement the allotment to Orangeburg County by the State Health Department and the budget of the Health Department shall be approved by the Orangeburg County Legislative Delegation. Any unexpended funds remaining at the end of the year shall revert to the general fund of the county. *Provided,* further, the rabies control program shall be under the supervision and control of the county health officer.

Farm and Home Demonstration Department—to be approved by the legislative delegation:	$ 14,005.00
65-N. Negro Fair Association	300.00
65-R. New Homemakers' Club	100.00
Total, Farm and Home Demonstration Department	$ 14,405.00

Social Service:

70-A. Relief for the needy under the supervision of Department of Public Welfare ..... $ 4,500.00
Such sum to be advanced to County Welfare Department quarterly and, at the end of each quarter period, the county legislative delegation shall be furnished a statement showing how such money was spent.

70-B. Hospital aid for charity patients 30,000.00
Provided, such sum of money shall be paid to the Orangeburg Hospital at Orangeburg in quarterly payments and, before such payments are made, the hospital shall furnish to the Orangeburg County Highway Commission a statement showing the number of charity patients treated, and the number of days such patients were treated during the preceding quarter, and not more than thirty per cent of the total appropriation shall be drawn for any one quarter of the fiscal year. *Provided,* further, that the officials of the hospital shall have the right to enlist the assistance of the Orangeburg County Department of Public Welfare in

	investigating the financial standing of any person applying for assistance under the provisions of this section. *Provided,* further, that not more than seven dollars and fifty cents per day shall be payable from county for care of any patient.	
70-C.	County Welfare Department, petty cash	1,000.00
72-A.	Salvation Army	600.00
73-A.	Children's nursery at Orangeburg	600.00
73-F.	Colored children's work	180.00
73-H.	Sunlight Club, for aid in county	600.00
	Total, Social Service	$ 37,480.00
Miscellaneous Expenses and Services:		
75-A.	Salary of Coroner (part-time)	$ 2,400.00
75-B.	Travel of Coroner @ $25.00 per month	300.00
75-C.	Payment of Coroner's juries at rate of two dollars for each member	400.00
75-D.	Orangeburg County Planning and Development Commission *Provided,* that the Orangeburg County Planning and Development Commission may draw the above amount and deposit the proceeds in its own bank account to carry on the duties prescribed for it by law.	10,000.00
75-E.	Salary, Service Officer *Provided,* that his full time is given to the duties of his office.	6,350.00
75-F.	Stenographer for Service Officer	3,150.00
75-G.	Expenses, Service Officer *Provided,* that he be furnished an office in the courthouse.	1,800.00
75-H.	Salary, members of Board of Registration *Provided,* the chairman shall receive a salary of $525.00 from county appropriation.	1,365.00
75-I.	Expense, local South Carolina National Guard units	1,000.00
75-J.	Expense, Civil Defense	500.00
	Total, Miscellaneous Expenses and Services	$ 27,265.00

General Expense:	
80-A. Stationery, books, office supplies, equipment, printing, postage and advertising	$ 30,000.00
80-B. Insurance on public buildings	2,500.00
80-C. Premiums on bonds of county officials	1,100.00
80-D. Courthouse, expenses, including fuel, utilities, water, supplies, telephone, etc.	20,000.00
80-E. Part-time clerical help, Orangeburg Soil Conservation District	1,560.00
80-H. Janitor service, Courthouse	2,426.00
80-I. Janitors, office building	1,132.00
80-J. Janitors, County Health Center	1,733.00
80-K. To match funds of county officers and employees for retirement purposes and Social Security	31,200.00
80-L. Workmen's Compensation coverage	3,000.00
80-N. To supplement funds, county officers and employees—group insurance	9,400.00
80-O. Repairs to county buildings	5,000.00
80-T. Secretary to delegation (salary)	315.00
Total, General Expense	$109,366.00
Contingent Fund:	
85-A. Contingent expenses *Provided,* that the expenditures from this item shall be approved by the county legislative delegation.	$ 38,500.00
Total, Contingent Fund	$ 38,500.00
Transitory Expenditures:	
90-G. For heat, water and expenses of curb market *Provided,* this amount shall be paid monthly to the secretary.	$ 180.00
Total, Transitory Expenses	$ 180.00
TOTAL FOR OPERATING EXPENSES	$830,768.10

SECTION 2. The sums herein appropriated for the specific purposes under the several items herein are the maximum amounts which shall be expended for the respective purposes and no warrant

shall be issued in excess of such amounts, nor shall any indebtedness be incurred which in the aggregate exceeds the amounts provided for each item, and the Treasurer of Orangeburg County is prohibited from paying any warrant which exceeds such sums; *provided,* that no money shall be spent otherwise than is specifically authorized by this act or the legislative delegation, as provided herein, and all unexpended balances not otherwise directed in this act shall be placed to the credit of the general county fund.

SECTION 3. The sums hereinabove appropriated shall only be used if so much be necessary and when not otherwise provided. Salaries and expenses, where combined in the same item, shall be paid monthly without requiring expenses to be itemized. *Provided,* that where expenses are provided as a separate item they shall not be paid except upon sworn itemized statements of the same. Travel paid for by the county shall be at the rate of nine cents per mile except that, when a public conveyance is used, only the actual cost of the transportation shall be paid.

SECTION 4. All sums received by the county treasurer from the officers formerly receiving fees in Orangeburg County shall be credited to the general county fund, and the treasurer shall keep a separate record of the monthly remittance from each such officer. *Provided,* that whenever any fees are due to any county officers by reason of work or service done for the county and, where the fees required by law to be paid would have to be paid by the county, the various county officers heretofore entitled to charge fees are instructed and authorized to perform such services and do such work without requiring the payment of such fees. *Provided,* however, each officer shall make a record of such work or service performed for the benefit of the county and file a statement of same with the county treasurer in making his monthly statement.

SECTION 5. Whenever reference is made in this act, or any other legislation, to any action of or by the legislative delegation, the same means the joint approval, agreement or order of the Senator and one-half of the Representatives of Orangeburg County in the General Assembly holding office at the time of such instructions.

SECTION 6. No portion of the funds hereby appropriated shall be used to pay for public liability insurance on any motor vehicle owned by Orangeburg County. The appropriation for Contingent

Expenses may be used by the Orangeburg County Highway Commission to pay any deficit arising by reason of claims under items 30-F, 43-B, 43-C, 50-A, 55-C, 80-A, 80-D, 80-K and 80-L, in case the specific appropriations therefor shall be exhausted.

SECTION 7. Upon written authorization of the Legislative Delegation from Orangeburg County, the Orangeburg County Highway Commission shall make the necessary repairs and improvements to the public buildings owned by the county, and the expense thereof shall be paid from the ordinary funds of the county.

SECTION 8. The county service officers, the attendance teacher, each outside deputy sheriff, the county health director, the county forestry ranger and county rabies control officer shall prepare written reports quarterly as to their activities and services, sending a copy to each member of the county legislative delegation.

SECTION 9. Jurors in the circuit and county courts shall be paid a per diem of five dollars for each day of attendance upon any court session.

SECTION 10. Any appropriation made by this act may be reduced or eliminated by order of the Legislative Delegation from Orangeburg County, and when any new employee enters the service of Orangeburg County, whether replacing an existing employee or filling a new position, the compensation or salary of such new employee shall be set by the legislative delegation.

SECTION 11. In anticipation of the collection of taxes herein provided for, the Treasurer of Orangeburg County, with the approval of the county legislative delegation, is authorized to borrow such sums as may be necessary to carry out the provisions of this act, and to pledge current taxes in payment thereof.

SECTION 12. If any word, phrase, part or section of this act is held unconstitutional, the remaining portion shall continue in full force and effect.

SECTION 13. Upon written authorization of a majority of the Legislative Delegation from Orangeburg County, additions to the courthouse and expenditures for the county development board shall be paid from the ordinary funds of the county.

SECTION 14. This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R180, H1335)

No. 689

An Act To Authorize The Board Of Trustees Of Pickens County School District A, The State Of South Carolina, To Issue General Obligation Bonds Of The School District To Such Extent As On The Occasion Of The Issuance Of Any Such Bonds Is Permitted By The Constitutional Debt Limitation Applicable To The School District, To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which Their Proceeds May Be Expended, And To Make Provision For The Payment Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that at the general election held on November 3, 1964, an informal referendum was conducted in Pickens County School District A, hereinafter called the district, to ascertain the wishes of the electorate with respect to a new program of public school construction and that the referendum resulted favorably by a substantial margin. It has investigated the needs for further public school facilities within the district, which is an area coextensive with Pickens County itself. Finding that further public school facilities are required, the General Assembly has determined to make available to the trustees of the district the power to raise money through the sale of bonds during the period hereinafter prescribed, to the extent that bonds may be issued within the applicable constitutional limitation applying to the district, which is that set forth in amendment No. 95 to Section 5 of Article X and found on page 258, Volume 16 of the Code of Laws of South Carolina, 1962. Being satisfied that the referendum held on November 3, 1964, adequately expresses the will of the electorate, it has determined to dispense with any election as a condition precedent to the issuance of bonds.

SECTION 2. Bond issue authorized.—In order to provide a means whereby the district may raise money to construct and equip further public school facilities for the district, to provide appropriate sites for any new buildings, and in order to provide funds for additions, enlargements and improvements to existing public school facilities, the Board of Trustees of Pickens County School District A (as constituted by Section 21-3792, Code of Laws of South Carolina, 1962), hereinafter called the board, shall, during the period of time prescribed by Section 14 of this act be empowered to issue, as a

single issue, or from time to time as several separate issues, general obligation bonds of the district to such extent as, on the occasion of the issuance of any such bonds, is permitted by the constitutional debt limitation applicable to the district.

SECTION 3. Maturity.—All bonds issued pursuant to this act shall mature in such annual series or instalments as the board shall prescribe, except that the first maturing bonds shall mature within three years from the date of issue; not less than three per cent of the bonds shall mature in each year; and no bond shall mature later than twenty-five years from the date of issue.

SECTION 4. Redemption.—Any bond issued pursuant to this act may be issued with a provision permitting its redemption prior to its stated maturity, at par and accrued interest, plus such redemption premium as may be prescribed by the board, but no bond shall be redeemable prior to its stated maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of such bonds, provision shall be made specifying the manner of call and the notice thereof that must be given as to bonds made redeemable prior to their stated maturities.

SECTION 5. Form.—The bonds issued pursuant to this act shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Pickens County, upon such conditions as the board may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instrument law.

SECTION 6. Where payable.—The bonds issued pursuant to this act shall be made payable at such place, within or without the State, as the board shall provide.

SECTION 7. Interest.—Bonds issued pursuant to this act shall bear interest at rates determined by the board.

SECTION 8. Denominations and execution.—The bonds and the coupons to be thereunto attached shall be in such denomination and shall be executed in such manner as the board shall by resolution prescribe.

SECTION 9. Sale.—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their

respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. Such published notice shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 10. Payment.—For the payment of the principal and interest of all bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the district shall be irrevocably pledged, and there shall be levied annually by the Auditor of Pickens County, and collected by the Treasurer of Pickens County, in the same manner as county taxes are levied and collected, on all taxable property in the district, a tax sufficient to pay the principal and interest of the bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

SECTION 11. Exempt from taxes.—The principal and interest of bonds issued pursuant to this act shall have the tax exempt status prescribed by Section 65-4.1, Code of Laws of South Carolina, 1962.

SECTION 12. Proceeds.—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of Pickens County, to be deposited in a bond account fund for the district and shall be expended from time to time and made use of as follows:

(a) Any accrued interest shall be applied to the payment of the first instalment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first instalment of principal of such bonds.

(c) The remaining proceeds shall be expended, upon the warrant or order of the Board, for the following purposes:

(1) To defray the costs of issuing the bonds authorized by this act; and

(2) To provide for additional public school facilities for the district in the manner contemplated by Section 2 of this act.

(d) The time limit imposed by Section 14 relating to the issuance of bonds pursuant to this act shall not apply to the expenditure of the proceeds of the bonds, but if, after the final completion of the board's program, the board shall certify to the Treasurer of Pickens County that any remaining balance in the bond account is no longer needed for its program, then such balance shall be held by the treas-

urer and used to effect the retirement of bonds then outstanding, which shall have been issued pursuant to this act.

SECTION 13. Powers to be additional.—The powers and authorizations hereby conferred upon the board shall be in addition to all other powers and authorizations previously vested in the board and may be availed of pursuant to action taken at any regular or special meeting of the board.

SECTION 14. Final date bonds may be issued.—In order that the program authorized hereby may be promptly instituted and concluded with appropriate dispatch, all bonds issued pursuant to the authorization of this act shall be issued on or before December 31, 1966.

SECTION 15. No further action required.—No election is prescribed as a condition precedent to the issuance of bonds pursuant to this act, and no action other than that prescribed herein need be taken to effect the issuance of the bonds herein authorized, nor shall the board be required to obtain the approval of any public agency to any action taken pursuant to the authorizations of this act.

SECTION 16. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of March, 1965.

(R358, H1590) **No. 690**

An Act To Authorize The Board Of Trustees Of School District A And The County Treasurer Of Pickens County To Borrow Not Exceeding One Hundred Twenty-five Thousand Dollars To Be Used To Pay A Portion Of The Cost Of The Pickens County Tax Equalization Program.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. School District A of Pickens County may borrow money.—The Board of Trustees of School District A and the County Treasurer of Pickens County are authorized to borrow, for the purpose of paying a portion of the cost of the tax equalization program currently under contract in Pickens County, a sum not exceeding one hundred twenty-five thousand dollars from any bank,

other financial institution or other agency it may select. The amount borrowed shall be evidenced by a note to be executed jointly by the Chairman of the Board of Trustees, Pickens County School District A and the Treasurer of Pickens County. Such note shall bear interest at the best available rate not to exceed three and one-half per cent per annum from the date thereof, the interest to be paid semiannually on June thirtieth and December thirty-first. Such note shall mature upon such date as the board of trustees shall determine but not later than ten years from the date of issue; *provided,* the board shall have the right to anticipate the payment of part or all of the loan without penalty.

The full faith, credit and taxing power of the district are hereby pledged to the payment of the indebtedness provided for in this act.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 5th day of May, 1965.

(R477, H1704) **No. 691**

An Act Providing For The Creation Of Watershed Conservation Districts In Pickens County, And The Election Of Directors Of Watershed Conservation Districts And Their Powers And Duties; And Providing For A Levy Of Taxes For The Organization And Administration Of Such Districts, And For The Construction, Operation And Maintenance Of Works Of Improvement Within Such Districts.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Definitions.—Whenever used or referred to in this act, unless a different meaning clearly appears from the context:

(1) "Watershed conservation district" means a governmental subdivision of this State, and a public body corporate and politic, organized in accordance with the provisions of this act, for the purposes, with the powers, and subject to the restrictions hereinafter set forth.

(2) "Director" means one of the members of the governing body of a watershed conservation district, elected in accordance with the provisions of this act.

(3) "Supervisor" means one of the members of the governing body of the Pickens Soil and Water Conservation District in which any part of a watershed conservation district is situated.

(4) "Petition" means a petition filed under the provisions of Section 4 of this act for the creation of a watershed conservation district.

(5) "County" means Pickens County of South Carolina.

(6) "Landowner" or "owner of land" includes any person, firm or corporation who shall hold legal or equitable title to any lands lying within a watershed conservation district organized under the provisions of this act.

(7) "Due notice" means notice published at least twice, with an interval of at least one week between the two publication dates, in a publication of general circulation within the appropriate area, or, if no such publication of general circulation be available, notice posted at a reasonable number of conspicuous places within the appropriate area, such posting to include, where possible, posting at public places where it is customary to post notices concerning county or municipal affairs generally.

SECTION 2. Watershed Conservation Districts may be formed in Pickens County.—Authority is hereby granted to form watershed conservation districts within Pickens County for the purpose of developing and executing plans and programs relating to any phase of the control and prevention of soil erosion, flood prevention, or the conservation, development, utilization and disposal of water.

SECTION 3. Area.—The area embraced in a watershed conservation district must be contiguous and must lie within a well-defined watershed; and such area shall not include lands located within the boundary of any incorporated city or town, or lands embraced in another watershed conservation district.

SECTION 4. Petition for formation.—When twenty-five or more landowners within a proposed watershed conservation district, or, if less than fifty landowners are involved, a majority of such landowners, desire to form a watershed conservation district, they shall file a petition with the supervisors of the soil and water conservation district asking that a watershed conservation district be organized to function in the area described in the petition. Such petition shall set forth the proposed name of the watershed conservation district; that there is need, in the interest of the public health, safety and welfare, for a watershed conservation district to function in the territory de-

scribed in the petition; a description of the territory proposed to be organized as a watershed conservation district, which description need not be given by metes and bounds or by legal subdivisions, but shall be deemed sufficient if generally accurate; and the approximate number of acres of land included in the proposed watershed conservation district.

SECTION 5. Hearing on petition.—(1) Within thirty days after such petition has been filed with the supervisors of the soil and water conservation district, they shall cause due notice to be given of a hearing upon the question of the desirability and necessity, in the interest of the public health, safety and welfare, of the creation of such watershed conservation district. All interested parties shall have the right to attend such hearing and to be heard. If it shall appear at the hearing that other lands should be included in the petition or that lands included in the petition should be excluded, the supervisors shall permit such inclusion or exclusion, provided the land area involved still meets the requirements of Section 3 of this act.

(2) If it appears upon the hearing that it may be desirable to include within the proposed watershed conservation district territory outside of the area within which due notice of the hearing has been given, the hearing shall be adjourned and due notice of a further hearing shall be given throughout the entire area considered for inclusion in the proposed watershed conservation district, and such further hearing shall be held. After final hearing, if the supervisors of the soil and water conservation district determine, upon the facts presented at the hearing and upon other available information, that there is need, in the interest of the public health, safety and welfare, for a watershed conservation district to function in the territory considered at the hearing, they shall make and record such determination, and shall define the area, but the description need not be given by metes and bounds. The description shall be deemed sufficient if generally accurate and the approximate number of acres of land included in the proposed watershed conservation district is shown.

(3) If the supervisors of the soil and water conservation district determine after such hearing that there is no need for a watershed conservation district to function in the territory considered at the hearing, they shall make and record such determination and shall deny the petition.

SECTION 6. Referendum.—After the supervisors of the soil and water conservation district have made and recorded a determination

that there is need, in the interest of the public health, safety and welfare, for a watershed conservation district to function in the territory considered at the hearing, and have defined the boundaries thereof, they shall consider the question whether the operation of a watershed conservation district within the proposed boundaries with the powers conferred upon it by this act is administratively practicable and feasible. To assist the supervisors in making this determination, they shall, within a reasonable time after the entry of a finding that there is need for the organization of a watershed conservation district and the determination of the boundaries thereof, hold a referendum within the proposed watershed conservation district upon the proposition of the creation of the watershed conservation district. Due notice of the referendum shall be given by the supervisors. Such notice shall state the date of holding the referendum, the hours of opening and closing the polls, and shall designate one or more places within the proposed watershed conservation district as polling places and shall give notice that the directors shall have the power of eminent domain. The supervisors shall have full charge of the referendum and shall have suitable ballots printed and furnished to each polling place, appoint necessary box managers and other referendum officials, and shall canvass the referendum and announce the results. The cost of holding the referendum shall be paid from the general fund of Pickens County. *Provided,* that notwithstanding any provision of law to the contrary, the power of eminent domain shall not be exercised over the protest of any landowner until it is conclusively established that the land proposed to be condemned is absolutely essential to the creation and operation of the watershed conservation district.

SECTION 7. Question.—The question to be voted on shall be submitted by ballots upon which appear the words:

"For creation of .....Watershed Conservation District"
"Against creation of .....Watershed Conservation District"

A square shall follow each proposition. The ballot shall contain a direction to insert an "X" mark in the square following one or the other of the propositions as the voter may favor or oppose creation of the watershed conservation district. The ballot shall set forth the boundaries of the proposed watershed conservation district as determined by the supervisors of the soil and water conservation district. No one except owners of lands lying within the boundaries of the proposed watershed conservation district, as determined by the supervisors of the soil and water conservation district, shall be eligible to

vote in the referendum. Qualified voters may vote by absentee ballot in the referendum under such rules and regulations as may be prescribed by the supervisors. No informalities in the conduct of the referendum or in any matters relating thereto shall invalidate the referendum or the result thereof if notice of the referendum shall have been given substantially as herein provided and the referendum shall have been fairly conducted.

SECTION 8. Results—district to be created if results and determination favorable.—The votes shall be counted by the referendum officials at the close of the polls and a report of the results, along with the ballots, shall be delivered and certified to the supervisors of the soil and water conservation district; and thereafter the supervisors shall determine whether the operation of the watershed conservation district within the defined boundaries is administratively practicable and feasible. If the supervisors determine that the operation of such district is not administratively practicable and feasible, they shall record such determination and deny the petition. If the supervisors determine that the operation of such district is administratively practicable and feasible, they shall record such determination and shall proceed with the organization of such district in the manner hereinafter set forth; *provided,* however, that the supervisors shall not have authority to determine that the operation of such district is administratively practicable and feasible unless at least a majority of the votes cast in the referendum upon the proposition of the creation of such district shall have been cast in favor of the creation of such district. If the supervisors shall determine that the operation of such district is administratively practicable and feasible, they shall certify such determination to the Clerk of Court of Pickens County and to the Secretary of State. Upon proper recordation of such determination, such watershed conservation district shall constitute a governmental subdivision of this State and a public body corporate and politic. After being recorded, such certification shall be filed with the State Soil and Water Conservation Committee.

SECTION 9. Board of directors to govern district—nominating petitions—election—ballots—terms—officers—bond of treasurer.—(1) The governing body of the watershed conservation district shall consist of five directors, elected as provided herein.

(2) Within thirty days after a watershed conservation district has been created, nominating petitions may be filed with the supervisors of

the soil and water conservation district to nominate candidates for directors of the watershed conservation district. No such nominating petition shall be accepted by the supervisors unless it is signed by twenty-five or more landowners within the watershed conservation district, or, if less than fifty landowners are involved, by a majority of such landowners. If the candidates nominated do not exceed the number of directors to be chosen, the supervisors shall declare them to be elected. No person shall be eligible to be a director of a watershed conservation district who is not a landowner in the watershed conservation district in which he seeks election.

(3) If the candidates nominated for directors of the watershed conservation district exceed the number of directors to be chosen, the supervisors of the soil and water conservation district shall, after having given due notice thereof, cause an election to be held within the watershed conservation district within a reasonable time after the expiration of the nominating period. The provisions of Sections 5, 6 and 7 of this act as to notice, qualifications of voters, absentee voting, and the manner of holding the referendum in organizing a watershed conservation district, shall apply insofar as practicable to the election of the directors. The names of all qualified nominees shall be printed in alphabetical order upon ballots with a square before each name and a direction to insert an "X" mark in the square before any five names to indicate the voter's preference. Only landowners within the watershed conservation district shall be eligible to vote in the election. The five candidates who shall receive the largest number respectively of the votes cast in the election shall be the directors of the watershed conservation district, and shall, upon the supervision of the supervisors of the soil and water conservation district, be the governing body of the watershed conservation district.

(4) Of the directors first elected, the two receiving the largest number of votes shall serve for terms of four years, the two receiving the next largest number of votes shall serve for terms of three years, and the one receiving the next largest number of votes shall serve for a term of two years. The term of office of each of their successors shall be for four years, and until their successors are elected and qualify. Vacancies shall be filled by selection by the supervisors for the unexpired portion of the term only.

(5) The directors shall annually designate from among their number a chairman, secretary, and treasurer. The treasurer shall execute an official bond for the faithful performance of the duties of his office,

to be approved by the directors. Such bond shall be executed by a surety company authorized to do business in this State and shall be in an amount determined by the directors. The premium on each bond shall be paid by the watershed conservation district.

SECTION 10. District to be corporate body—powers and duties.—A watershed conservation district organized under the provisions of this act shall constitute a governmental subdvision of this State, and a public body corporate and politic, exercising public powers, and such district and the directors thereof shall, subject to the approval of the supervisors of the soil and water conservation district, have the following powers, in addition to others granted in other sections of this act:

(1) To acquire, by purchase, exchange, lease, gift, grant, bequest, devise, or otherwise, or through condemnation proceedings in the manner provided in Sections 25-101 through 25-140 and Sections 33-121 through 33-148, Code of Laws of South Carolina, 1962, such lands, easements or rights-of-way as are needed to carry out any authorized purpose of the watershed conservation district; and to sell, lease, or otherwise dispose of any of its property or interests therein in furtherance of the purposes and provisions of this act; *provided,* that the power of eminent domain conferred hereunder shall not extend to the property of any public utility or public service corporation that the utility or public service corporation could have acquired under its power of eminent domain;

(2) To construct, reconstruct, repair, enlarge, improve, operate, and maintain such works of improvement as may be necessary or convenient for the performance of any of the operations authorized by this act;

(3) To borrow money and to execute promissory notes and other evidences of debt in connection therewith for payment of the costs and expenses of organizing the watershed conservation district or for carrying out any authorized purpose of such district, and if promissory notes are issued, to execute such mortgages on any property owned by such district, or assign or pledge such revenues or assessments of such district as may be required by the lender as security for the repayment of the loan; and to issue, negotiate, and sell its bonds as provided in Section 11 of this act;

(4) To levy an annual tax on the real property within the district subject to the limitations provided in Section 13 of this act for payment of the costs and expenses of organizing the watershed conserva-

tion district or for carrying out any authorized purpose of such district. Such levy shall be made only after approval by the supervisors of the soil and water conservation district and upon notifying the county auditor; and

(5) Where watersheds cross county or state lines, the watershed directors are authorized to work with similar organizations in determining cost sharing to solve common problems.

SECTION 11. Bonds not to be issued unless referendum held.—(1) Bonds authorized by Section 10 of this act shall not be issued until proposed by order or resolution of the directors of the watershed conservation district, specifying the purpose for which the funds are to be used and the proposed undertaking, the amount of bonds to be issued, the rate of interest they are to bear, and the amount of any necessary tax levy in excess of the maximum authorized in Section 13 of this act. A copy of the order or resolution shall be certified to the supervisors of the soil and water conservation district.

(2) The supervisors shall hold a hearing on such proposal after having given due notice. If it appears that the proposal is within the scope and purpose of this act and meets all other requirements of the law, the proposal shall be submitted to the landowners of the district by a referendum held by the supervisors.

(3) The provisions of Sections 5, 6 and 7 of this act as to notice, qualifications of voters, absentee voting, and manner of holding the referendum in organizing a watershed conservation district shall apply to the referendum held under this section.

(4) If two-thirds of the votes cast in such referendum favor the proposal, the directors shall, with the approval of the supervisors, be authorized to issue such bonds.

SECTION 12. Compensation.—The directors of the watershed conservation district shall receive no compensation for their services, but they may be reimbursed for expenses, including traveling expenses, necessarily incurred in the performance of their duties as approved by the supervisors of the soil and water conservation district.

SECTION 13. Budget—tax levy.—Within the first quarter of each calendar year, the directors of the watershed conservation district shall prepare an itemized budget of the funds needed for administration of the watershed conservation district and for construc-

tion, operation and maintenance of works of improvement. After approval of such budget by the supervisors of the soil and water conservation district, the county auditor shall levy a tax sufficient to meet such budget on all real property within the watershed conservation district of not to exceed five mills on each dollar of assessed valuation, except that this limitation shall not apply to any levy necessary to provide a sinking fund for the retirement of bonds authorized by Section 11 of this act. A copy of such budget shall be certified to the Auditor of Pickens County.

SECTION 14. List of landowners and acres subject to assessment.—(1) The directors of the watershed conservation district, with the assistance of the county auditor, shall prepare a list of the landowners involved showing the number of acres subject to assessment.

(2) When the property tax rolls are delivered to the county treasurer by the county auditor, as required by law, the county treasurer shall compute the tax due the watershed conservation district from each landowner in accordance with the rate fixed by the directors and the value of the real property indicated on the tax roll. The computation shall be made on the regular tax bills.

SECTION 15. Collection of taxes.—(1) The county treasurer shall collect the taxes due the watershed conservation district at the same time and in the same manner as he collects other taxes of the county.

(2) The taxes shall be subject to the same due and delinquency dates, discounts, penalties and interests as are applied to the collection of county taxes.

SECTION 16. Expenditures.—Tax funds collected shall be transferred to and held by the treasurer of the watershed conservation district for the specific purpose for which they have been collected. All expenditures of such funds shall be made by the directors of the watershed conservation district with the approval of the supervisors of the soil and water conservation district.

SECTION 17. Petition to have lands detached.—The owners of lands which have not been, are not and cannot be benefited by their inclusion in the watershed conservation district may petition the supervisors of the soil and water conservation district to have such lands detached. The petition shall describe such lands and state the reasons why they should be detached. A hearing shall be held by

the supervisors within thirty days after the petition is filed and due notice of such hearing shall be given by the supervisors. If it is determined by the supervisors that such lands shall be detached, such determination shall be certified to the Auditor of Pickens County for recording. After being recorded, the certification shall be filed with the State Soil and Water Conservation Committee.

SECTION 18. Petition for discontinuance of district—hearing —referendum — discontinuance if election and determination favorable.—(1) At any time after five years after the organization of a watershed conservation district, twenty-five or more landowners within such district, or if less than fifty landowners are involved, a majority of such landowners, may file a petition with the supervisors of the soil and water conservation district asking that the existence of the watershed conservation district be discontinued. The petition shall state the reasons for discontinuance, and that all obligations of the watershed conservation district have been met. The supervisors may conduct such hearings upon the petition as may be necessary to assist them in the consideration thereof.

(2) Within sixty days after such petition has been filed with the supervisors they shall give due notice of the holding of a referendum. The supervisors shall hold such referendum substantially as provided for in Section 11 of this act. The question shall be submitted by ballots upon which the words "For terminating the existence of the..... Watershed Conservation District" and "Against terminating the existence of the ..... Watershed Conservation District" shall be printed, with a square before each proposition and a direction to insert an "X" mark in the square before one or the other of the propositions as the voter may favor or oppose the discontinuance of such watershed conservation district. Only landowners within the watershed conservation district shall be eligible to vote in such referendum. No informality in the conduct of the referendum or in any matters relating thereto shall invalidate the referendum or the results thereof if notice of the referendum shall have been given substantially as herein provided and the referendum shall have been fairly conducted.

(3) The supervisors shall publish the results of the referendum and shall thereafter determine whether the continued operation of the watershed conservation district is administratively practicable and feasible. If the supervisors determine that the continued operation of the watershed conservation district is administratively practicable

and feasible, they shall record such determination and deny the petition. If the supervisors determine that the continued operation of the watershed conservation district is not administratively practicable and feasible, they shall record such determination and shall certify such determination to the directors of the watershed conservation district; *provided,* however, that the supervisors shall not be authorized to determine that the continued operation of the watershed conservation district is administratively practicable and feasible unless at least a majority of the votes cast in the referendum shall have been cast in favor of the continuance of the watershed conservation district.

(4) Upon receipt from the supervisors of a certification that they have determined that the continued operation of the watershed conservation district is not administratively practicable and feasible, the directors shall forthwith proceed to terminate the affairs of the watershed conservation district. A copy of the determination shall be certified to the Auditor of Pickens County for recording. After being recorded, the certification shall be filed with the State Soil and Water Conservation Committee.

SECTION 19. Supervisory authority if district discontinued.—If the Pickens County Soil and Water Conservation District is discontinued, all supervisory authority over the affairs of the watershed conservation district which was previously exercised by the supervisors shall thereafter be exercised by the governing body of Pickens County.

SECTION 20. Not to affect existing districts.—The provisions of this act shall not affect any watershed conservation district in existence in the county prior to the effective date.

SECTION 21. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 27th day of May, 1965.

(R479, H1706)

No. 692

An Act To Authorize The Finance Board Of Pickens County To Issue And Sell Not Exceeding Three Hundred Thousand Dollars Of General Obligation Bonds Of The County To Provide Funds For Capital Expenditures; To Prescribe The Conditions Under Which The Bonds Shall Be Issued; And To Make Provision For The Payment.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that there is an immediate need for expenditures by Pickens County for the purpose of carrying out a Capital Improvement Program, including the construction and furnishing of a county prison building and office building and other capital improvements; all at a cost of not exceeding three hundred thousand dollars.

The General Assembly has, therefore, determined to empower the Finance Board of Pickens County (the Board) as constituted by Section 14-3155 of the Code of Laws of South Carolina, 1962, to issue general obligation bonds of Pickens County to the extent provided herein in order to provide the funds which will defray the cost of the Capital Improvement Program above referred to.

SECTION 2. Bond issue authorized.—In order to provide funds to be expended for the purposes mentioned in Section 1 of this act, the Board is hereby authorized and empowered to issue and sell general obligation bonds of Pickens County in an aggregate principal amount of not exceeding three hundred thousand dollars.

SECTION 3. Bonds may be issued from time to time.—The bonds authorized by this act may be issued as a single issue, or from time to time as several separate issues.

SECTION 4. Denominations and maturity.—The bonds shall be in such denominations and shall mature in such annual series or installments as the Board shall provide for, except that the last maturing bonds shall mature not later than twenty years from the date as of which the bonds shall be issued.

SECTION 5. Redemption.—The bonds issued pursuant to this act may be issued with a provision for their redemption prior to their stated maturities at par and accrued interest, plus such redemption premium as may be prescribed by the Board, but no bond shall be redeemable before maturity unless it contains a statement to that effect. If bonds are made subject to redemption, provision shall be made in the proceedings authorizing the issuance of the bonds specifying the manner of call and the notice thereof that must be given.

SECTION 6. Form.—The bonds shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Pickens County, upon such conditions as

the Board may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

SECTION 7. Where payable.—The bonds issued pursuant to this act shall be made payable at such place, within or without the State, as the Board shall provide.

SECTION 8. Interest.—Bonds issued pursuant to this act shall bear interest at rates determined by the Board.

SECTION 9. Execution.—The bonds, and the coupons to be thereunto attached, shall be executed in such manner as the Board shall by resolution provide.

SECTION 10. Sale.—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. The published notice shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 11. Payment.—For the payment of the principal and interest of all bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of Pickens County shall be irrevocably pledged, and there shall be levied annually by the Auditor of Pickens County and collected by the Treasurer of Pickens County in the same manner as county taxes are levied and collected, a tax without limit on all taxable property in Pickens County, sufficient to pay the principal and interest of such bonds as they respectively mature, and to create such sinking fund as may be necessary therefor.

SECTION 12. Exempt from taxes.—The principal and interest of any bonds issued pursuant to this act shall have the tax exempt status prescribed by Section 65-4.1 of the Code of Laws of South Carolina, 1962.

SECTION 13. Proceeds.—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of Pickens County and shall be deposited in a bond account fund, and shall be expended and made use of as follows:

(a) Any accrued interest shall be applied to the payment of the first installment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first installment of principal of such bonds.

(c) The remaining proceeds shall be expended, on the warrant of the Board, to defray the cost of issuing the bonds authorized hereby and to defray the cost of carrying out the Capital Improvement Program referred to in Section 1 of this act.

(d) If any balance remain it shall be held by the Treasurer of Pickens County in a special fund and used to effect the retirement of bonds authorized hereby; *provided,* that the purchaser of the bonds herein authorized shall be in no way responsible for the proper application of the proceeds.

SECTION 14. Powers to be additional.—The powers and authorizations hereby conferred upon the Board shall be in addition to all other powers and authorizations previously vested therein, and may be exercised by the Board at any regular or special meeting through the adoption of a resolution or resolutions to take effect immediately upon their adoption.

SECTION 15. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 27th day of May, 1965.

(R480, H1707)

No. 693

An Act To Repeal Act 1336 Of 1964 Relating To The Authority For Pickens County To Borrow Funds For Capital Improvements.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Act 1336 of 1964 repealed.—Act 1336 of 1964 is repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 27th day of May, 1965.

(R558, H1746) **No. 694**

An Act To Provide for The Levy Of Taxes In Pickens County For County And School Purposes For The Fiscal Year Beginning July 1, 1965, And Ending June 30, 1966, And To Direct The Expenditure Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. A tax of so many mills as is necessary is hereby levied on all taxable property in Pickens County, for county and school purposes, for the fiscal year beginning July 1, 1965, and ending June 30, 1966, for the amounts and purposes hereinafter mentioned. The millage levy shall not exceed that number of mills, or fractions thereof, actually necessary to raise the sums herein appropriated. After deducting the expected revenues herein stated, such millage shall be determined by the Pickens County Auditor, subject to the approval of a majority of the Pickens County Legislative Delegation. *Provided,* the ordinary county tax millage shall be set at a time different from that at which the school tax levy is set by the auditor upon recommendation of a majority of the members of the Board of Trustees of Pickens County School District A.

Item 1. Roads and bridges, cross-county roads, etc.:

A. Maintenance, roads and bridges, county farm and central purchasing office $275,000.00
Provided, that not more than $35,000.00 of the above sum shall be expended within the incorporated municipalities upon recommendation of the Pickens County Municipal Association and approval of a majority of the legislative delegation. *Provided,* further, that not to exceed $40,000.00 of the above sum may be expended prior to July 1, 1965, upon the approval of a majority of the legislative delegation. *Provided,* further, that when this appropriation is expended no additional funds will be available until July 1, 1966.

B. New machinery to be purchased on prior written approval of a majority of the Pickens County Legislative Delegation 35,000.00

C. No money, labor or material shall be expended, performed or used by Pickens County in the

construction or improvement of any street or road in any subdivision, or property to be subdivided, owned by any person, firm or corporation until the requirements and rules promulgated by the Pickens County Board of Commissioners are complied with; such compliance shall be a condition precedent before such money, labor or material is expended, performed or used.

Total, Item 1	$310,000.00
Item 2. County officers, salaries and expenses:	
A. Clerk of Court	$ 6,300.00
A-1. Deputy Clerk of Court	3,780.00
A-2. Clerk	3,255.00
A-3. Assistant Clerk	2,520.00
A-4. Reindexing of mortgages and deeds	8,000.00
B. Supervisor's salary	6,300.00
Provided, the Supervisor is allowed to use the gas and oil of the county for his car when necessary for county business.	
B-1. Clerk to Supervisor and County Commissioners	4,200.00
B-2. Assistant Clerk	3,150.00
B-3. Assistant Clerk	2,400.00
C. Two County Commissioners	4,200.00
D. Coroner	1,400.00
D-1. Travel and automobile expense for Coroner	600.00
E. County Attorney	1,000.00
F. County Physician	1,000.00
G. County Auditor	2,139.00
Provided, the salary of the County Auditor from State and county funds shall be the sum of $6,300.00.	
G-1. Clerk for Auditor	2,772.00
G-2. Assistant Clerk for Auditor	2,520.00
G-3. Mileage for Auditor	400.00
G-4. Equalization program	26,650.00
H. County Treasurer	2,139.00
Provided, the salary of the County Treasurer from State and county funds shall be the sum	

	of $6,300.00. *Provided,* further, that a notice shall be sent to every taxpayer when county ordinary taxes or county school taxes are increased. Such notice shall state the purpose and method of such increase.	
H-1.	Clerk for Treasurer	3,780.00
H-2.	Assistant Clerk	2,520.00
I.	County Sheriff	6,300.00
I-1.	Eleven Deputy Sheriffs	47,470.00
	Provided, the above deputy sheriffs shall perform duties at the county jail as directed and scheduled by the county sheriff. *Provided,* further, that the sheriff shall provide police protection for Pickens County twenty-four hours per day; such protection to be evidenced by deputies on active duty for such period through assignation by the sheriff.	
I-2.	Travel expenses for Sheriff and Deputies	10,200.00
	Provided, gasoline shall be furnished by the county.	
I-3.	Maintenance—Sheriff's Department	8,000.00
I-4.	Uniforms for Sheriff and Deputies	2,800.00
I-5.	Five mill deputies at $60.00 per month, to be appointed by the Sheriff and provided by the Sheriff with such duties of his office as they may be able to perform within the limits of the compensation they shall receive hereinabove	3,600.00
I-6.	Maintenance of radio system for Sheriff's Department	750.00
I-7.	Jailer	3,150.00
J.	Probate Judge	6,300.00
J-1.	Clerical help	2,520.00
K.	Tax Collector	4,000.00
K-1.	Clerical help for Tax Collector	2,520.00
K-2.	Mileage for Tax Collector	550.00
L.	Service Officer	5,040.00
L-1.	Secretary	2,772.00
L-2.	Travel	1,800.00
N.	Magistrates:	
N-1.	Easley	3,780.00
N-2.	Pickens	2,801.00

N-3. Liberty	2,292.00
N-4. Central	2,292.00
N-5. Six Mile	693.00
N-6. Magistrates' Constables, salaries:	
(a) Liberty	641.00
(b) Central	452.00
(c) Easley	2,520.00
Provided, the Easley Constable shall devote full-time to the duties of this office.	
N-7. Magistrates' Constables—fees and mileage	1,200.00
O. Caretaker, County Home	3,606.00
O-1. Travel, County Home Caretaker	150.00
Provided, County Home Caretaker shall receive nine cents per mile actually traveled in the scope of his employment to be paid by board of commissioners upon receipt of duly verified claim, not to exceed the amount herein provided.	
O-2. Cook for County Home	1,260.00
P. Clerk for Historical Society	630.00
Total, Item 2	$221,114.00
Item 3. County Boards:	
A. Board of Equalization	$ 500.00
B. Board of Registration	500.00
C. Board of Vital Statistics	450.00
D. Development Commission (salaries, expenses and promotion)	9,000.00
Total, Item 3	$ 10,450.00
Item 4. Court Expenses, Jurors, Witnesses, etc.:	
A. Jurors and Witnesses	$ 8,000.00
Provided, the Clerk of Court shall select not more than three qualified bailiffs to be in attendance at terms of Court of General Sessions and Common Pleas.	
B. Expense, Stenographer, 13th Judicial Circuit	400.00
B-1. Travel expense, Solicitor, 13th Judicial Circuit	500.00
B-2. Expense, Secretary to Solicitor	400.00
C. Post mortems, inquests and lunacies	800.00

D.	Jurors for Coroner's inquests	50.00
E.	Stenographer for inquests	300.00
	Total, Item 4	$ 10,450.00
Item 5.	County Home and feeding prisoners:	
A.	County jail	$ 6,000.00
B.	County Home	6,000.00
C.	Transporting prisoners	450.00
	Total, Item 5	$ 12,450.00
Item 6.	Public Buildings:	
A.	Water, lights and insurance	$ 10,000.00
	Provided, insurance against liability by reason of explosion of boilers in various county buildings and insurance against liability on county vehicles shall be purchased.	
B.	Telephone and telegraph	7,500.00
C.	Fuel	2,500.00
D.	Janitor service and supplies	5,500.00
	Provided, the board of commissioners shall employ such person as may be necessary and provide the supplies to maintain the county buildings in a clean and sanitary condition.	
E.	Printing, postage and stationery	12,000.00
F.	Repairs on public buildings	4,000.00
	Total, Item 6	$ 41,500.00
Item 7.	Miscellaneous:	
A.	Bond premium, county officers	$ 850.00
B.	County Library	29,400.00
C.	Compensation insurance premium	3,500.00
D.	Annual audit of county	2,500.00
E.	Contingent fund, to be expended upon the written approval of a majority of the Pickens County Legislative Delegation	10,000.00
	Provided, the Pickens County Rabies Control Program shall be paid from this item. *Provided,* further, that this program is under the supervision of the Pickens County Board of Health.	
F.	County's part Employees' Retirement Fund	22,000.00

G.	Mileage, Pickens County Fire Control Wardens (three @ $30.00 per month each)	1,080.00
H.	Adult Education Program	2,000.00
	Provided, that such program shall be approved by the Pickens County Legislative Delegation.	
I.	Maintenance of Watershed Projects	1,000.00
	Total, Item 7	$ 72,330.00
Item 8.	Farm Demonstration:	
A.	4-H Club, Boys	$ 200.00
B.	4-H Club, Girls	200.00
C.	F. F. A.	200.00
D.	Supplies for Home Agent	100.00
E.	Clerical help for County Agent's office	600.00
F.	Supplement to salary of County Farm Agent	500.00
G.	Supplement to salary of Assistant County Farm Agent	350.00
H.	Supplement to salary of County Home Demonstration Agent	350.00
I.	Supplement to salary of Assistant County Home Demonstration Agent	350.00
	Provided, that the sums appropriated in subitems F., G., H. and I. shall be paid in equal quarterly payments.	
	Total, Item 8	$ 2,850.00
Item 9.	Pickens County Department of Public Welfare:	
A.	Emergency relief (to prospective clients)	3,000.00
B.	Child welfare (mileage)	1,188.00
C.	Foster board care	1,000.00
D.	Special services (lunches for child welfare and other clients when taken out of county on all-day trips)	200.00
E.	Pickens County Board of Public Welfare, at $200.00 per annum per member	600.00
	Provided, that the amount in Item 9A hereinabove shall be spent in accordance with written regulations promulgated by the Pickens County Board of Public Welfare.	
F.	General fund	500.00

	G. Administration (medical assistance to the aged)	2,400.00
	Total, Item 9	$ 8,888.00
Item 10.	Pickens County Health Department:	
	A. Burial of paupers	$ 100.00
	B. Pickens County Health Unit ..... *Provided,* that all moneys expended from this appropriation, together with such funds as may be contributed by the State and Federal Governments for the operation of the county health unit, shall be in accordance with a budget filed with and approved in advance of such expenditures by a majority of the Pickens County Legislative Delegation.	25,864.00
	C. Mental Health Clinic	$ 7,500.00
	Total, Item 10	$ 33,464.00
Item 11.	National Defense:	
	A. Easley unit	$ 1,300.00
	B. Clemson unit	300.00
	C. Civil Defense ..... *Provided,* that the above amount shall be expended only on the approval of a majority of the county legislative delegation.	3,500.00
	Total, Item 11	$ 5,100.00
Item 12.	County Cooperative Breeding Association .... *Provided,* that not to exceed $150.00 per month shall be paid from this appropriation by the county treasurer on an itemized statement of the officers of the association.	$ 1,800.00
	Total, Item 12	$ 1,800.00
Item 13.	Pickens County Charity Hospital Funds ..... *Provided,* that no moneys are to be expended until a definite rate per day be established and approved by a majority of the Pickens County Legislative Delegation, and be filed in writing with the county board of commissioners. *Provided,* further, that the above sum shall be reg-	$ 20,000.00

	ulated, supervised and administered by the Pickens County Board of Public Welfare. *Provided,* further, that the costs and expenditures for hospitalization and administration shall not exceed the above sum and no appropriation for administration or hospitalization shall be made when these funds are expended.	
13-A.	Reimbursement to the County General Fund for moneys withheld under Act 393 of 1961 for charity hospitalization	23,015.00
	Total, Item 13	$ 43,015.00
Item 14.	Technical Education Center	$ 6,670.00
	Total, Item 14	$ 6,670.00
	GRAND TOTAL	$780,081.00
	Less Estimated Revenues—other than taxes:	
	Magistrates—Fines and Fees	$ 60,000.00
	From the Probate Judge	2,000.00
	From the Clerk of Court	45,000.00
	From the County Supervisor	25,000.00
	From the Sheriff	1,000.00
	From the Tax Collector	27,000.00
	From the Wine and Beer Tax	12,000.00
	Liquor Tax	45,000.00
	Gas Tax	175,000.00
	Income Tax	65,000.00
	From Insurance License Fees	30,000.00
	Tax from Banks	6,000.00
	State Contribution for Service Officer	4,815.00
	Total	$497,815.00
	Total amount to be raised by taxes	$282,266.00

SECTION 2. The county board of commissioners is hereby authorized and directed to publish quarterly statements in the three Pickens County newspapers. They shall publish only the amounts appropriated and the unexpended balance of each item.

SECTION 3. No bills or claims against Pickens County for supplies purchased or services rendered shall be approved by the supervisor and the county commissioners, except in meeting assembled. No such bills or claims shall be approved for payment and no vouchers shall be issued for same unless such bills or claims are properly itemized showing the supplies or articles purchased, and the services rendered, with the proper dates of such purchases and of rendering of such services and duties.

SECTION 4. Transfer from one item to another may be made only upon the written approval of a majority of the Pickens County Legislative Delegation and they shall have power and authority to provide for and add to the appropriation herein made any sum sufficient to take care of any deficit which may prove to exist from the maintenance of the costs of the county government during the year 1965-66.

SECTION 5. The auditor and the treasurer, with the approval of a majority of the Pickens County Legislative Delegation, are hereby authorized and empowered to increase the general levy above provided to meet the appropriations made.

SECTION 6. There is hereby levied four mills for interest and a sinking fund on county bonds.

SECTION 7. Magistrates' constables for whom salaries are appropriated shall be appointed by the magistrates in the respective townships. The duties of magistrates' constables at Pickens and Six Mile shall be performed by the sheriff and his deputies.

SECTION 8. The Auditor of Pickens County shall levy a sufficient number of mills, or fraction thereof, to raise the sums necessary to operate the public schools of the school district of Pickens County in accordance with a budget to be prepared and presented to him by a majority of the trustees of the school district. Such budget shall include the necessary sums for payment of the share of this county of the compensation of the agriculture teachers in the school system, and the trustees are authorized to expend such sums from the amount appropriated in their budget for that purpose. The school tax levy shall be set at a time not less than one week after the ordinary county tax levy is set. The school tax millage shall be within the statutory limitation.

SECTION 9. The annual compensation of each member of the Board of Trustees of Pickens County School District A and of each

member of the county board of education is hereby fixed at twenty-five dollars. The sum necessary to pay the compensation herein prescribed shall be expended from the educational funds of the county.

SECTION 10. Any sum appropriated under the provisions of this act for salaries shall lapse upon the discharge, death, removal or resignation of the officer or employee to whom the appropriation applies, or by vacancy, however created, of the office to which such appropriation applies, and any employee or officer succeeding such employee or officer shall be paid at a compensation to be fixed in writing by a majority of the legislative delegation, and filed with the county board of commissioners.

SECTION 11. All county officials, authorized to disburse funds designated in the county appropriations act, are instructed to expend no funds in excess of amounts appropriated without the written approval of a majority of the county legislative delegation, and thereby avoid violation of Section 14-315 of the 1962 Code.

SECTION 12. A section of the county jail shall be reserved and set apart to be used for quartering offenders of sixteen years of age or less.

SECTION 13. The Treasurer of Pickens County is authorized to pay to the probation officer who has jurisdiction over Pickens County such sums as are necessary for compensation for additional duties in the investigation of cases in which persons under the age of eighteen years are charged with criminal offenses, upon the authorization of a majority of the legislative delegation. The probation officer shall make a complete report with his recommendations to the magistrate or circuit court having jurisdiction of the cases involving these persons.

SECTION 14. When such purchasing or placing of orders is made, the equipment, materials, goods, wares, merchandise or services needed shall be purchased from firms or individuals within the county whenever such firms or individuals are reliable and offer equipment, materials, goods, wares, merchandise or services of equal quality and specifications with like goods from outside the county and at a price equal to or less than the price submitted by such nonresident bidders.

SECTION 15. No salary shall be paid under the provisions of this act until such employee, as affected, shall have complied with all

requirements of the State Retirement Act with regard to any fees collected that are covered under the Social Security Law, such determination of amounts due to be certified to Pickens County by the State Director of the Retirement System.

SECTION 16. The beginning salary for full-time clerical help employed under the provisions of this act shall be two thousand four hundred dollars. However, such employee shall not participate in any general pay raise until such employee shall have worked for a period of at least one year immediately preceding the effective date of such pay raise.

SECTION 17. This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R103, H1180)

No. 695

An Act To Authorize The Board Of Trustees Of School District No. 5, Richland County, To Issue General Obligation Bonds Of School District No. 5, Richland County, In An Amount Not Exceeding One Million Two Hundred Thousand Dollars For The Purposes Enumerated In This Act; To Prescribe The Conditions Under Which The Bonds May Be Issued And Their Proceeds Expended; And To Make Provision For The Payment Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Richland County School District 5 may issue bonds.—The Board of Trustees of School District No. 5, Richland County, hereinafter called the "board", is hereby authorized and empowered to issue general obligation bonds of School District No. 5, Richland County, in the principal amount of not exceeding one million two hundred thousand dollars, and to apply the proceeds of such bonds to the purposes specified in this act.

SECTION 2. Proceeds.—The proceeds derived from the sale of the bonds shall be deposited with the County Treasurer of Richland County, and paid out by the county treasurer upon the warrant or order of the board for the purpose of paying the cost of constructing and equipping school buildings in the school district.

SECTION 3. Denominations — maturity — interest — dates.— The bonds may be issued either as a single issue or from time to time in several separate issues and shall be in such denomination as the board shall determine. All bonds shall mature serially in successive annual installments of such amounts as may be determined by the board, except that the maturity date of the last installment shall fall due not later than twenty-five years from the date the bonds bear, and the first maturity date may be postponed five years from the date the bonds bear. Any bond issued pursuant to this act may at the discretion of the board, contain a provision permitting its redemption prior to its stated maturity at such redemption premiums as the board shall prescribe. The bonds shall bear such rate or rates of interest as the board may determine, payable on such occasions as the board shall determine, but the average rate of interest for each issue of bonds sold pursuant to the authorizations of this act shall not exceed four per cent. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Richland County, and the principal thus made payable to the registered holder (unless the last registered transfer shall have been to bearer), upon such conditions as the board may prescribe. They shall bear such date or dates and be payable at such place or places as the board may likewise prescribe.

SECTION 4. Execution.—The bonds and the interest coupons thereunto attached shall be executed in such manner as the board shall prescribe.

SECTION 5. Sale.—The bonds shall be sold by the board at not less than par and accrued interest to the date of their respective deliveries, at public sale or private sale, and if a public sale be undertaken at least ten days prior to any sale, notice, announcing the intention to receive bids for the sale of any bonds authorized by this act, shall be published in a newspaper of general circulation in the State of South Carolina.

SECTION 6. Exempt from taxes.—The bonds and all interest to become due thereon shall have the tax-exempt status prescribed by Section 65-4.1, Code of Laws of South Carolina, 1962.

SECTION 7. Payment.—For the payment of all bonds issued pursuant to this act, both principal and interest, as they shall respective-

ly mature, the full faith, credit, resources and taxing power of School District No. 5, Richland County, shall be pledged, and there shall be levied and collected by the Auditor and Treasurer of Richland County, respectively, an ad valorem tax upon all taxable property in the school district, without limitation as to rate or amount, sufficient to pay the interest on such bonds and the bonds as they respectively mature. The taxes, when so levied and collected, shall be held by the Treasurer of Richland County, separate and distinct from all other funds, and used solely for the purposes for which levied and collected.

SECTION 8. Action required by board.—Any action required of the board may be taken at any meeting of the board, regular or special, and at such meeting a majority of the members of the board shall constitute a quorum for the purpose of adopting a resolution making provision for the issuance of bonds pursuant to this act, awarding the sale of such bonds, or taking any other action permitted or required of the board by the provisions of this act.

SECTION 9. Further.—No action other than that prescribed in this act need be taken to effect the issuance of the bonds herein authorized, nor shall the board be required to obtain approval of any public agency to any action taken pursuant to the authorizations of this act.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of February, 1965.

(R511, S238)

No. 696

An Act To Authorize The School Commissioners Of School District No. 1 Of Richland County To Issue Not Exceeding One Million Dollars Of General Obligation Bonds, To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which Their Proceeds May Be Expended, And To Make Provision For The Payment Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that School District No. 1 of Richland County has

a need for further school facilities in order to accommodate the increasing number of pupils attending the public school system in the school district. It has therefore determined to authorize the School Commissioners of School District No. 1 of Richland County to effect the acquisition of further school facilities through the constructing and equipping of buildings and the renovation and improvement of existing buildings to the extent of one million dollars.

SECTION 2. School District 1 may acquire additional facilities.—The commissioners are hereby empowered to acquire such further school facilities as may be procured with the proceeds of the bonds and through such other funds available to the commissioners and, to that end, they are empowered to construct and equip new school buildings, to improve, enlarge and re-equip existing school buildings, and to acquire such land as may be needed therefor.

SECTION 3. Bond issue authorized.—In order to obtain funds for the purposes above set forth, the commissioners are hereby authorized to issue not exceeding one million dollars of general obligation bonds of School District No. 1 of Richland County. The proceeds derived from the sale of the bonds shall be paid to the treasurer of the school district and shall be deposited in a Bond Account Fund for School District No. 1 of Richland County, and shall be expended and made use of by the commissioners as follows:

(a) Any accrued interest shall be applied to the payment of the first instalment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first instalment of principal of such bonds.

(c) The remaining proceeds shall be used to defray the cost of issuing the bonds and to acquire further school facilities as provided herein. Pending the expenditure of the proceeds of the bonds, their proceeds may be invested and reinvested upon the order of the commissioners in direct obligations of the United States having a stated maturity of not exceeding one year. All income so realized shall be added to and utilized for school facilities authorized by Section 2 of this act.

The sums received pursuant to subparagraphs (a) and (b) shall, as soon as practicable, be delivered to the Treasurer of School District No. 1 of Richland County, with appropriate instructions as to their respective uses.

SECTION 4. Maturity — redemption — interest — dates.— The bonds may be issued as a single issue, or from time to time as several separate issues, in the discretion of the commissioners; *provided,* that no bonds authorized by this act shall be issued later than three years after the effective date of this act. All bonds shall mature serially in successive annual instalments of such amounts as may be determined by the commissioners, except that the maturity date of the last instalment of any bonds issued hereunder shall fall due not later than twenty-five years from the date such bonds bear, and the first maturity date may be postponed not more than three years from the date the bonds bear. Any bond issued pursuant to this act may, at the discretion of the commissioners, contain a provision permitting its redemption prior to its stated maturity at such redemption premium as the commissioners shall determine. The bonds shall be in such denominations and shall bear interest in such manner as shall be determined by the commissioners, but the average rate of interest for any bonds sold pursuant to the authorizations of this act shall not exceed four per cent. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the Treasurer of School District No. 1 of Richland County, and the principal thus made payable to the registered holder (unless the last registered transfer shall have been to bearer), upon such conditions as the commissioners may prescribe. They shall bear such dates and be payable at such places as the commissioners may likewise prescribe.

SECTION 5. Execution.—The bonds and the interest coupons thereto attached shall be executed in such manner as the commissioners shall prescribe.

SECTION 6. Sale.—The bonds shall be sold by the commissioners at not less than par and accrued interest to the date of their respective deliveries, at public sale, and at least ten days prior to any sale, notice, announcing the intention to receive bids for the sale of any bonds authorized by this act, shall be published in a newspaper of general circulation in the State of South Carolina.

SECTION 7. Exempt from taxes.—The bonds and all interest to become due thereon shall have the tax-exempt status as prescribed by Section 65-4.1 of the Code of 1962.

SECTION 8. Payment.—For the payment of the principal and interest of the bonds, as the same respectively mature, and for the cre-

ation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of School District No. 1 of Richland County shall be irrevocably pledged and there shall be levied annually by the Auditor of Richland County, and collected by the Treasurer of Richland County, in the same manner as county taxes are levied and collected, a tax without limit, on all taxable property in the school district, sufficient to pay the principal and interest of the bonds as they respectively mature, and to create such sinking fund as may be necessary therefor.

SECTION 9. When action may be taken.—Any action required by the commissioners may be taken at any meeting of the commissioners, regular or special, and at such meeting a majority of the members of the commission shall constitute a quorum for the purpose of adopting a resolution making provision for the issuance of the bonds, awarding the sale of the bonds, or taking any other action permitted or required of the commissioners by the provisions of this act.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R677, H1851)

No. 697

An Act To Provide A Levy Of Taxes For Richland County For School And County Purposes For The Fiscal Year 1965-1966 And To Direct The Expenditures Therefor; And To Provide For The Operation Of The County Government.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Tax Levy. For the operation of the government of Richland County and for ordinary county purposes, there is hereby levied on all taxable property in Richland County a tax of nine and one-half mills, if so much be necessary, which, together with all additional sums available for such purposes, shall be used as herein directed. For the operation of the school districts of Richland County and for other school purposes, there is hereby levied on all taxable property in Richland County a school equalization levy of fifteen mills and, in addition thereto, there is levied on all taxable property in the school districts, respectively, the tax authorized by law, to

wit: in School District No. 1, a tax of forty-two mills for local school purposes; in School District No. 2, a tax of eighteen and one-half mills for local school purposes; in School District No. 5, a tax of thirty-one mills for local school purposes; in School District No. 6, a local school levy, as shall be recommended by the Board of Trustees of School District No. 5 of Lexington County, of which School District No. 6, Richland County, is a part. The tax levy for local school and debt service purposes in the Richland County School District No. 6 portion of the district shall not exceed the local school and debt service tax levied on the taxable property of the district in the Lexington County portion of Lexington County School District No. 5.

SECTION 2. Appropriations. There is hereby appropriated from the revenues available for ordinary county purposes as follows:

SUBSECTION I. ADMINISTRATIVE DEPARTMENTS
ITEM A. BOARD OF ADMINISTRATORS

1. Office of the Board		
a. Salaries		
(1) 4 members of Board of Administrators ($2,700.00 each)	$ 10,800.00	
(2) Per diem for 5 members of Board of Administrators @ $15 each per meeting, not to exceed 52 meetings per year	3,900.00	
(3) Clerk of the Board	5,292.71	
(4) Secretary to the Board	4,800.00	
(5) Two county physicians @ $2,013.79 each	4,027.58	
(6) County attorney	4,437.93	
(7) County engineer	10,000.00	
b. Technical and professional consultation and advice and official expense, if so much be necessary	5,000.00	
		48,258.22

Provided, that the amount appropriated for the salaries of the county physicians $600.00 thereof is appropriated and shall be paid to the county physicians for mental examinations of service men and women for admittance to the Veterans Administration Hospital. *Provided,* that the amount appropriated for the

county attorney does not include compensation for abstracting titles to real estate or handling bond issues for any board or agency of Richland County; and that the county attorney may charge such board or agency for such services the minimum fee approved by the Richland County Bar Association. *Provided,* further, that no board or agency of Richland County shall retain or contract for the services of any attorney or expend any funds herein appropriated for such purpose without first obtaining from the county attorney a certification that such services are necessary and are without the scope of the duties of the county attorney. *Provided,* that the county engineer shall be the graduate of an accredited college or university with a degree in one of the recognized fields of engineering, shall be employed by a majority vote of the Board of Administrators, including the chairman, and shall serve at the pleasure of the Board.

2. Services for other departments

a. Extra clerical hire & overtime pay	7,500.00
	7,500.00

Provided, that no department of Richland County shall employ extra clerical help or incur any obligation for overtime pay to regular county employees without first obtaining approval of the Board of Administrators, pursuant to such regulations as the Board may from time to time promulgate. *Provided,* further, that overtime work by regular county employees shall be compensated, wherever possible, with compensatory time off.

b. Auditing of County Records

(1) Auditor	750.00
(2) Board of Administrators	600.00
(3) Clerk of Court	1,000.00
(4) Juvenile-Domestic Relations Court	750.00

(5)	Master-in-Equity	500.00
(6)	Magistrates	3,000.00
(7)	Judge of Probate	150.00
(8)	Standing Master	50.00
(9)	Sheriff	200.00
(10)	Supervisor's Ofc. & related Depts.	1,800.00
(11)	Tax Collector	4,000.00
(12)	Treasurer	2,500.00
(13)	General	1,500.00
		16,800.00

Provided, that the audit of the Board of Education, the Columbia Hospital of Richland County, the Richland County Health Department, the Richland County Public Library, and the Columbia Township Auditorium shall be made by the firm selected to conduct the annual independent audit of the books and records of Richland County; and the actual cost of auditing the records of each department or agency listed in this proviso shall be drawn from the funds appropriated for each respective department. *Provided,* further, that every department or agency of Richland County subject to audit shall keep and maintain such books and records as are necessary and required to permit the annual independent audit to be properly and expeditiously conducted and, where the cost of audit for any department or agency exceeds the amount therein appropriated for that purpose, the firm conducting the annual independent audit of Richland County shall certify to the Board of Administrators, in writing, the reasons therefor. *Provided,* further, that where such additional expenses be certified as having resulted from the failure of any department or agency to keep and maintain proper and necessary records, then and in that event, the additional cost shall be deducted from the compensation

provided for the administrative head of such department or agency, unless such payment be waived by the Board of Administrators for good cause shown.

c. Contingent Fund	75,000.00	
		75,000.00

Provided, that appropriations may be made by the Board of Administrators by majority vote thereof, from time to time, from the Contingent Fund of Richland County for such purposes or needs as may arise, where, in the judgment of the Board, such appropriations are necessary in the best interest of Richland County.

Provided, further, that no such appropriation shall be made, except in the course of a duly called public meeting of the Board and recorded in the minutes of the Board, which minutes shall be maintained as a public record.

3. Richland County Jail		
a. Salaries		
(1) Jailor	5,728.00	
(2) Assistant Jailor	3,737.97	
(3) Helper at Jail	3,600.00	
(4) Helper at Jail	3,600.00	
(5) Helper at Jail	3,600.00	
(6) Helper at Jail	3,600.00	
(7) Helper at Jail	3,600.00	
(8) Helper at Jail	3,600.00	
(9) Matron at Jail	2,184.00	
(10) Secretary at Jail	2,940.00	
b. Supplies and Dieting at Jail	18,000.00	
c. Purchase of Uniforms	900.00	
d. Moving to and equipping new Jail and Law Enforcement Center and additional personnel and supplies, therefor, if so much be be necessary.	30,000.00	
		85,089.97

Provided, that all moneys paid by other governmental agencies for the housing or dieting of prisoners confined in the Richland County Jail shall be added to and become part of the appropriation for equipment, supplies, and personnel for the Jail and Law Enforcement Center, provided in Item 3 above, and may be expended by the Board of Administrators as may be necessary for such purposes. *Provided,* further, that the county jailor shall operate and maintain the Jail in accordance with such rules and regulations as the Board of Administrators may from time to time promulgate and shall make such reports as the Board may from time to time require.

4. Public Buildings	
a. Salaries	
(1) Maintenance Engineer	4,368.57
(2) Elevator operator	2,997.55
(3) Elevator operator	2,907.26
(4) Chief Janitor	2,864.20
(5) Janitor	2,706.95
(6) Janitor	2,666.86
(7) Janitor	2,666.86
(8) Janitor	2,536.89
(9) Maid	1,655.25
b. Utilities	14,000.00
c. Telephone	11,000.00
d. Building repairs and maintenance	10,000.00
e. Contract for Elevator Maintenance	600.00
f. Repair and maintenance of office equipment and machinery	3,500.00
	64,470.39
TOTAL: ITEM A	$297,118.58

ITEM B. SUPERVISOR'S OFFICE

1. Office of the Supervisor	
a. Salaries	
(1) Supervisor	$ 11,108.50

(2) Assistant Engineer and Voting Machine Custodian	5,228.00
(3) Office Manager and Bookkeeper	4,810.65
(4) Stenographer	3,800.00
(5) Stenographer, part time	1,900.00
	26,847.15

Provided, that the County Supervisor shall furnish to the Board of Road Commissioners all necessary stenographic and clerical assistance as may be required by the Board.

2. Supplies and Services for Other Departments

a. Advertising and public notices, if so much be necessary	800.00
b. Postage, if so much be necessary	13,000.00
c. Stationery and office supplies:	
(1) Board of Administrators	500.00
(2) Auditor	1,600.00
(3) Treasurer	750.00
(4) Clerk of Court	
(a) General Supplies	4,000.00
(b) Duplicating machines, rental and supplies	15,000.00
(5) Supervisor's Office	
(a) General Supplies	750.00
(b) Bulk Purchases for all Departments	1,250.00
(6) Tax Collector	1,250.00
(7) Circuit Judge	150.00
(8) County Judges @ $300.00 each	600.00
(9) Juvenile-Domestic Judge	750.00
(10) Probate Judge	2,500.00
(11) Master's Office	1,250.00
(12) Sheriff's Office	1,250.00
(13) Coroner	300.00
(14) Superintendent of Education	300.00
(15) Forms for Magistrates and Check Clearing House	500.00
d. Officers and employees bonds, if so much be necessary	3,000.00
e. State Fund premium	11,000.00
f. Insurance, buildings and vehicles	10,000.00

g. For tenure, county employees 25 years service	1,105.00
h. South Carolina Retirement System	42,333.79
i. South Carolina Police Retirement	17,200.00
j. Social Security	39,635.32
k. County group insurance	14,000.00
1. Voting machines, annual installment payment	14,345.00
	199,119.11

Provided, that all departments and agencies being furnished stationery and office supplies through the Supervisor's Office shall keep and maintain separate records of such supplies furnished to their office and shall budget the amount provided for such supplies to the end that the appropriated amount shall not be exceeded.

3. County Prison Camps

a. Salaries

(1) Captain, Prison Camp 1	6,973.80
(2) 3 Captains of Guards @ 4,978.80	14,936.40
(3) 4 Foremen of Guards @ 3,704.00	14,816.00
(4) 24 Guards @ 3,600.00	86,400.00
(5) 2 Chaplains @ 1,273.27	2,546.54
b. Dieting	36,000.00
c. Utilities	10,000.00
d. Clothing	7,000.00
e. Drugs and dental	3,000.00
f. Miscellaneous	3,000.00
	184,672.74

4. County Paving and Road Maintenance Program

a. Salaries

(1) Mechanic	4,047.82
(2) Mechanic	3,952.91
(3) 9 Patrol Operators @ 3,760.00	33,840.00
b. Roads, streets, and school signs, if so much be necessary	2,000.00
c. Replacement of old equipment, if so much be necessary	30,000.00
d. Parts and repairs	35,000.00
e. Materials	20,000.00

f. Gasoline and Oil	21,000.00
	149,840.73
5. Farm-to-Market Paving Program	
a. Salaries	
(1) Superintendent	5,916.24
(2) Guard	3,683.08
(3) Mechanics, Operators and Drivers	39,882.71
	49,482.03

Provided, that all moneys saved on Farm-to-Market paving contracts shall be placed in a special account in the treasurer's office to be used by the supervisor and Board of Road Commissioners for paving or equipment in such paving program upon the approval of the Board of Administrators. *Provided,* further, that the mechanics, operators, and drivers employed by Richland County be paid on the basis of the salary formula as provided for all other county employees.

6. County Convalescent Home	
a. Salaries	
(1) Superintendent	3,890.70
(2) Matron	1,885.92
(3) Maintenance man	2,636.83
(4) Nurse	2,477.10
(5) Nurse	2,477.10
(6) Nurse	2,385.67
(7) Nurse	1,135.68
(8) Cook	1,643.68
(9) Cook	1,453.84
(10) Laundress	1,643.68
(11) Maid	1,324.20
(12) Watchman	2,146.04
b. Supplies, operation, and maintenance, if so much be necessary	16,217.14
c. Repairs, if so much be necessary	2,000.00
	43,317.58
TOTAL: ITEM B	$653,279.34

Provided, that the Superintendent shall be appointed by the Supervisor, and shall be a person having a suitable medical background and training; *Provided,* further, that all moneys by way of pensions, contributions, or otherwise, paid from any source other than Richland County for maintenance and board of any person maintained and cared for in Richland County Convalescent Home, shall be turned over to the Treasurer and become part of the Richland County General Fund. *Provided,* further, however, that in addition to the appropriations hereinabove provided for supplies, operation and maintenance, the Board of Administrators shall have the right to use such moneys so paid to supplement the maintenance, support and care of persons maintained and cared for in the Richland County Convalescent Home, if necessary. *Provided,* further, that complete records of same be maintained and included in the annual county audit.

ITEM C. BOARD OF ROAD COMMISSIONERS

1. Salaries, 7 road commissioners @ $202.57 per month, each	$	17,015.88
2. Official travel expenses commissioners @ $50-.00 per month, each		4,200.00
		21,215.88
TOTAL: ITEM C	$	21,215.88

ITEM D. AUDITOR

1. Salaries		
a. Auditor	$	4,888.00
b. Deputy Auditor		4,979.40
c. Deputy Auditor		4,979.40
d. Assistant Deputy Auditor		3,858.49
e. Clerk		3,858.49
f. Clerk		3,858.49
g. Clerk		3,828.39
h. Clerk		3,611.70
i. Clerk		3,339.00

2. Payment of second half of purchase price of Addressograph equipment	19,746.38
	56,947.74
TOTAL: ITEM D	$ 56,947.74

ITEM E. TREASURER'S OFFICE

1. Salaries	
a. Treasurer	$ 4,888.00
b. Deputy Treasurer	4,979.42
c. Chief Cashier	4,743.87
d. Fee Cashier	3,916.36
e. Cashier	4,066.84
f. Cashier	3,780.00
g. Utility Clerk	3,600.00
2. Purchase of typing desk	75.00
3. Purchase of two typewriters	701.95
	30,751.44
TOTAL: ITEM E	$ 30,751.44

Provided, that the salary of the Auditor and Treasurer shall be $9,428.50, and if the State fails to pay an amount sufficient to bring the respective salaries of the Auditor and Treasurer to that amount, then such amount is hereby appropriated as to bring their respective salaries up to $9,428.50 and no more.

ITEM F. TAX COLLECTOR'S OFFICE

1. Salaries	
a. Tax Collector	$ 6,689.11
b. Assistant Tax Collector	5,388.28
c. Assistant Tax Collector	5,297.99
d. Deputy Tax Collector	5,005.52
e. Clerk	3,858.49
f. Stenographer	3,507.76
2. Contract Services, if so much be necessary	2,500.00

3. Purchase of two 4-drawer check files, if so much be necessary	260.00
	32,507.15
TOTAL: ITEM F	$ 32,507.15

Provided, that the Assistant Tax Collectors for Richland County be deputized by the Sheriff of Richland County. *Provided,* that, for this fiscal year only, the penalties, charges, and fees assessed upon delinquent taxes and collected by the Tax Collector shall be held by the County Treasurer in a separate account for the purpose of employing temporary additional deputy tax collectors and to establish such procedures as may be desirable to facilitate the collection of taxes, the fund to be expended by the Tax Collector upon approval of such expenditures by the Board of Administrators. *Provided,* further, that such part of the account as is unexpended as of the end of the fiscal year shall become part of the General Fund of Richland County.

ITEM G. DELEGATION OFFICE

1. Administrative Staff	
a. Salaries	
(1) Administrative Assistant	$ 3,259.24
(2) Secretary to the Delegation	4,810.65
b. Office supplies and official Legislative expenses	1,000.00
	9,069.89
TOTAL: ITEM G	$ 9,069.89

Provided, that the sum appropriated for office supplies and official legislative expenses shall be expended by the Secretary to the Delegation, upon the approval of the Senator, and at least one-half of the members of the House of Representatives from Richland County.

ITEM H. COUNTY SERVICE OFFICER

1. Salaries

a. County Service Officer	$	5,514.76
b. Assistant County Service Officer		4,121.05
c. Supplies and Equipment		315.19
		9,951.00
TOTAL: ITEM H	$	9,951.00

Provided, that the assistant service officer shall be on call for secretarial assistance, if required, to the Legislative Delegation or the Administrative Assistant thereof.

TOTAL: SUBSECTION I $1,110,841.02

SUBSECTION II. JUDICIAL DEPARTMENTS

ITEM A. COURT OF COMMON PLEAS AND GENERAL SESSIONS

1. Salaries

a. Secretary to Circuit Judge	$	4,129.91
b. Court Stenographer		1,265.36
c. Assistant Court Stenographer		5,300.00
2. Supplies, books and office expenses		1,750.00
		12,445.27
TOTAL: ITEM A	$	12,445.27

Provided, that the sum appropriated for supplies, books and office expenses shall be expended as directed by the resident Judge of the Fifth Judicial Circuit.

ITEM B. RICHLAND COUNTY COURTS

1. Office of the Senior County Judge

a. Salaries

(1) Senior County Judge	$	14,605.00
(2) Court Reporter		5,681.39
(3) Bailiff and Clerk		4,591.26
(4) Bailiff		4,591.26
b. One Gray Audograph recorder and transcriber, and one stenomask, if so much be necessary		525.00

c. Two bookcases, if so much be necessary	300.00
d. Rug for reception room, if so much be necessary	300.00
	30,593.91
2. Office of the County Judge	
a. Salaries	
(1) County Judge	$ 11,455.00
(2) Court Reporter	4,810.65
(3) Bailiff and Clerk	4,914.81
(4) Bailiff, part-time	2,750.00
b. Law books, if so much be necessary	300.00
c. Coat rack, if so much be necessary	20.00
d. Electric typewriter, if so much be necessary	450.00
	24,700.46
TOTAL: ITEM B	$ 55,294.37

ITEM C. JUVENILE-DOMESTIC RELATIONS COURT

1. Office of the Judge	
a. Salaries	
(1) Judge	$ 11,455.00
(2) Chief Probation Officer	7,026.00
(3) Probation Officer	5,941.53
(4) Probation Officer	5,941.53
(5) Probation Officer	5,941.53
(6) Probation Officer	5,941.53
(7) Court Clerk	4,368.00
(8) Deputy Clerk and Cashier	3,690.96
(9) Deputy Clerk	3,407.04
(10) Docket and Records Clerk	3,407.04
(11) Deputy, Juvenile-Domestic Relations Court	5,732.04
b. Office equipment and furniture	450.00
c. Court Expense	1,300.00
	64,602.20

Provided, that the Deputy, Juvenile-Domestic Relations Court, be deputized by the Sheriff of Richland County. *Provided,* further, that the Sheriff's office shall be relieved of the re-

sponsibility of serving any legal papers for the Juvenile-Domestic Relations Court.

2. Children's Home

a. Salaries

(1) Superintendent	2,710.38
(2) Manager	2,502.56
(3) Matron	2,303.46
(4) Janitor	1,078.80
(5) Cook	1,078.80
b. Operating and Maintenance Expense	8,600.00
	18,274.00
TOTAL: ITEM C	$ 82,876.20

Provided, that all funds received by the Children's Home from other sources shall be turned over to the Treasurer of Richland County and become part of the Richland County General Fund. *Provided,* further, that, in event the operation of the Children's Home is discontinued, the Board of Administrators may appropriate any unexpended funds provided herein for the home in such way as, in their judgment, will best serve the purposes for which the Children's Home has been operated.

ITEM D. OFFICE OF MASTER IN EQUITY

1. Salaries

a. Master in Equity	$ 11,455.00
b. Court Reporter	5,460.00
c. Assistant Court Reporter	4,914.00
d. Assistant Court Reporter	4,914.00
e. Bookkeeper	4,368.00
f. Assistant Bookkeeper	3,600.00
2. Electric adding machine, if so much be necessary	150.00
	34,861.00
TOTAL: ITEM D	$ 34,861.00

ITEM E. STANDING MASTER'S OFFICE		
1. Salaries		
a. Standing Master	$	6,571.28
b. Court Reporter		3,359.42
		9,930.70
TOTAL: ITEM E	$	9,930.70

Provided, that the Standing Master shall charge and turn over to the Treasurer of Richland County the same fees as charged by the Master in Equity.

ITEM F. OFFICE OF THE JUDGE OF PROBATE		
1. Salaries		
a. Judge of Probate	$	9,428.50
b. Clerk of Probate Court		4,785.19
c. Assistant Clerk		3,780.00
d. Court Reporter		4,264.30
e. Stenographer		3,780.00
2. Expenses and publications		200.00
3. File Cabinet		150.00
4. Advertising		2,500.00
		28,887.99
TOTAL: ITEM F	$	28,887.99
ITEM G. OFFICE OF THE CLERK OF COURT		
1. Salaries		
a. Clerk of Court	$	9,428.50
b. Deputy Clerk of Court		5,396.12
c. Court Deputy		4,979.42
d. Court Deputy		4,947.01
e. Court Deputy		4,104.75
f. Records Clerk		4,105.52
g. Chattel Clerk		4,000.24
h. Clerk		3,970.14
i. Clerk		3,639.91
j. Clerk		3,549.00
k. Clerk		3,449.97
l. Clerk		3,449.88
m. Clerk		3,285.60

2. Witnesses, jurors, bailiffs, Circuit Court	33,000.00
3. Witnesses, jurors, bailiffs, Richland County Court	25,000.00
4. Repairing books, if so much be necessary ..	200.00
5. Purchase of two double roller sections, if so much be necessary	480.00
6. Purchase of six 4-drawer legal files with locks, if so much be necessary	492.00
	117,478.06
TOTAL: ITEM G	$117,478.06

Provided, that the bailiffs and Court Crier employed for the Court of Common Pleas and General Sessions shall receive eight dollars and fifty cents per day. *Provided,* further, that no more than four bailiffs for each term of Common Pleas Court and no more than seven bailiffs for each term of General Sessions Court and one Court Crier be appointed for such duties. *Provided,* further, that the jury boy or girl or blind person employed for the Court of Common Pleas and General Sessions of Richland County shall receive five dollars per day. *Provided,* further, that out of the funds herein appropriated for jurors and witnesses the Clerk of Court is authorized and directed to pay for the printing of the roster for the Common Pleas Court and County Court which rosters are arranged by the County Judge and Bar Association.

Provided, that the members of the Richland County Grand Jury shall receive a per diem of $5.00 per day such grand jury meets as a body of the whole during the year 1965-66. *Provided,* further, that the petit jurors for the Court of Common Pleas and General Sessions of Richland County shall be paid at the rate of $5.00 per day. *Provided,* further, however, that where petit jurors in the Court of Common Pleas or General Sessions are excused

for a full day, such jurors shall not be paid a per diem for such days, but if they should be required to return the next or subsequent days during the week, then and in such event, the jurors shall receive mileage whenever entitled thereto in lieu of per diem payment.

Provided, that the Senior County Judge may employ not more than three part-time bailiffs at $8.50 per day during court terms. *Provided,* further, that the petit jurors for the County Court shall be paid at the rate of $5.00 per day served. *Provided,* further, however, that where petit jurors in the County Court are excused for a full day, such jurors shall not be paid a per diem for such days but if they should be required to return the next or subsequent days during that week, then and in such event, the jurors shall receive mileage whenever entitled thereto in lieu of the per diem payment.

ITEM H. OFFICE OF THE SOLICITOR, FIFTH JUDICIAL CIRCUIT

1. Salaries

a. Solicitor, 5th Judicial Circuit	$ 3,050.00
b. Assistant Solicitor, 5th Judicial Circuit	7,160.82
c. Assistant Solicitor for Richland County	4,767.07
d. Special Investigator	7,100.00
	22,077.89
TOTAL: ITEM H	$ 22,077.89

ITEM I. OFFICE OF THE CORONER

1. Salaries

a. Coroner	9,074.70
b. Travel and official expenses, Deputy Coroner	600.00
2. Stenographic services, if so much be necessary	1,275.00
3. Jurors and communications expenses	700.00
	11,649.70
TOTAL: ITEM I	$ 11,649.70

Provided, that the Coroner shall call upon the county physicians to hold post mortem examinations. *Provided,* further, that the Coroner shall attest and furnish such affidavits as might be necessary to the Treasurer. *Provided,* further, that the Coroner pay each juror two dollars as a jury fee.

TOTAL: SUBSECTION II $375,501.18

SUBSECTION III. LAW ENFORCEMENT DEPARTMENTS

ITEM A. OFFICE OF THE SHERIFF

1. Personnel

a. Salaries

(1)	Sheriff	$ 9,428.50
(2)	Chief Deputy	6,344.00
(3)	Process server (Lt.)	5,460.00
(4)	Process server	5,200.00
(5)	Investigator (Lt.)	5,200.00
(6)	Investigator	4,706.00
(7)	Investigator	4,706.00
(8)	Investigator	4,706.00
(9)	Invetigator	4,706.00
(10)	Identification Officer	4,706.00
(11)	Juvenile Officer	4,706.00
(12)	Juvenile Officer	4,706.00
(13)	Sergeant	4,706.00
(14)	Sergeant	4,706.00
(15)	Sergeant	4,706.00
(16)	Sergeant	4,706.00
(17)	Sergeant	4,706.00
(18)	Sergeant	4,706.00
(19)	County Deputy	4,472.00
(20)	County Deputy	4,472.00
(21)	County Deputy	4,472.00
(22)	County Deputy	4,472.00
(23)	County Deputy	4,264.00
(24)	County Deputy	4,264.00
(25)	County Deputy	4,264.00
(26)	County Deputy	4,264.00

(27) County Deputy	4,264.00
(28) County Deputy	4,264.00
(29) County Deputy	4,264.00
(30) County Deputy	4,056.00
(31) County Deputy	4,056.00
(32) County Deputy	4,056.00
(33) County Deputy	4,056.00
(34) County Deputy	4,056.00
(35) County Deputy	4,056.00
(36) County Deputy	4,056.00
(37) County Deputy	4,056.00
(38) County Deputy	4,056.00
(39) County Deputy	4,056.00
(40) County Deputy	4,056.00
(41) County Deputy	4,056.00
(42) County Deputy	4,056.00
(43) County Deputy	4,056.00
(44) Record Clerk	3,407.44
(45) Record Clerk	3,407.44
(46) Secretary	4,039.75
(47) School Guard	900.00
(48) School Guard	900.00
(49) School Guard	900.00
(50) School Guard	900.00
(51) School Guard	900.00
(52) School Guard	900.00
(53) School Guard	900.00
(54) School Guard	900.00
	215,385.13
2. Supplies and Expenses	
a. Uniforms, School Guards	800.00
b. Long distance telephone and transportation of prisoners	3,000.00
c. Fingerprinting and photo supplies	2,000.00
d. Contingent Fund and Training	1,000.00
e. Uniforms, clothes and equipment	8,000.00
f. Insurance, fuel, repairs, and maintenance of county cars	24,000.00

g. Purchase of six new cars with trade-in of six old cars	10,581.00
h. Purchase of one new car	2,200.00
	51,581.00
TOTAL: ITEM A	$266,966.13

Provided, that uniforms and plain clothes requested by the Sheriff to be used in the law enforcement division shall be purchased semi-annually by the Board of Administrators.

Provided, that the Sheriff's office take care of necessary summonses or processes issued by the Judge of Probate. *Provided,* further, that all clothes, equipment, and supplies furnished by the Sheriff's office to the Deputies shall be returned to the Sheriff's office immediately after such Deputy shall cease to be employed by the county. *Provided,* further, that the appropriation for long distance telephone and transportation of prisoners be drawn only by proper warrants, such transportation to be used only for prisoners from beyond the borders of Richland County. *Provided,* further, that a County Deputy shall serve as one of the Court Bailiffs, if required to do so by the Sheriff without additional remuneration.

ITEM B. MAGISTRATES AND CONSTABLES

1. Blythewood Magisterial District	
a. Salaries	
(1) Magistrate	$ 2,740.05
(2) Constable	1,956.21
b. Office rent	120.00
	4,816.26
2. Columbia Magisterial District and the Check Clearing House	
a. Salaries	
(1) Magistrate and Director of Check Clearing House	5,667.84

(2) Constable	3,906.92
(3) Stenographer	4,159.54
(4) Clerk	3,465.00
(5) Assistant Clerk	3,255.00
	20,454.30

3. Dutch Fork Magisterial District

a. Salaries

(1) Magistrate	3,901.73
(2) Constable	4,513.33
(3) Constable, school	450.00
(4) Part-time stenographer	300.00
b. Office rent	420.00
	9,585.06

4. Eastover Magisterial District

a. Salaries

(1) Magistrate	3,271.56
(2) Constable (one-half of Eastover-Gadsden Constable salary)	2,483.77
	5,755.33

5. Gadsden Magisterial District

a. Salaries

(1) Magistrate	2,740.05
(2) Constable (one-half of Eastover-Gadsden Constable salary)	2,483.77
	5,223.82

6. Garners Magisterial District

a. Salaries

(1) Magistrate	3,318.81
(2) Constable (one-half of Garners-Lykesland Constable salary)	2,244.15
(3) Part-time Stenographer	300.00
b. Office rent and telephone	640.00
	6,502.96

7. Hopkins Magisterial District	
a. Salaries	
(1) Magistrate	3,941.46
(2) Constable	4,085.98
b. Office rent, lights, fuel and telephone	425.00
	8,452.44
8. Killian Magisterial District	
a. Salaries	
(1) Magistrate	3,271.56
(2) Constable	3,618.81
(3) Part-time Stenographer	1,260.00
b. Rent, supplies and telephone	600.00
	8,750.37
9. Lykesland Magisterial District	
a. Salaries	
(1) Magistrate	3,318.81
(2) Constable (one-half of Garners-Lykesland Constable salary)	2,244.15
b. Rent, office expense & telephone	625.00
	6,187.96
10. Olympia Magisterial District	
a. Salaries	
(1) Magistrate	4,741.51
(2) Constable	5,799.03
(3) Stenographer	2,940.00
b. Rent and Official Expense	900.00
	14,380.54
11. Pontiac Magisterial District	
a. Salaries	
(1) Magistrate	2,971.56
(2) Constable	2,971.56
(3) Part-time Stenographer	300.00
b. Office rent	550.00
	6,793.12

12. Upper Township Magisterial District

a. Salaries

(1) Magistrate 5,385.18

(2) Constable 3,966.06

(3) Part-time Stenographer 1,260.00

b. Rent and office expense 900.00

11,511.24

13. Waverly Magisterial District

a. Salaries

(1) Magistrate 4,437.93

(2) Constable 3,906.92

(3) Stenographer 2,759.46

b. Rent, office expense and telephone 1,196.50

12,300.81

14. General Magisterial Expenses

a. Uniforms for Magistrates' Constables, if so much be necessary 900.00

b. Jurors fees, if so much be necessary 500.00

1,400.00

TOTAL: ITEM B $122,114.21

Provided, that the Board of Administrators shall prescribe a uniform system of receipts, records and reports to be kept and maintained by all Magistrates in Richland County, the same to be in sufficient detail so as to provide all pertinent information pertaining to cases handled by Magistrates in Richland County. *Provided,* further, that every Magistrate in Richland County shall make and file with the County Supervisor, on forms prescribed and furnished by the Board of Administrators, a verified monthly report of all criminal cases begun before him, their status and disposition, together with a list of all fines collected. The reports shall be filed with the County Supervisor and all fines remitted to the Treas-

urer not later than the tenth day of the month next ensuing and no Magistrate shall be paid his prescribed compensation for any month until such report shall have been filed and such fines shall have been remitted. *Provided,* further, that upon the failure of any Magistrate to file the report with the Supervisor and remit the fines to the Treasurer by the tenth of any month, the compensation to which the Magistrate would otherwise have been entitled for the preceding month shall be forfeited to Richland County, unless such forfeiture be waived by the Board of Administrators for good cause shown.

Provided, that any Magistrate's Constable to whom a uniform has been or is hereafter issued shall wear such uniform at all times when performing his official duties. *Provided,* further, that the Magistrates of Columbia, Eastover, Garners, Hopkins, Lykesland and Waverly shall be allowed one additional Constable who shall serve without pay. *Provided,* further, that all Magistrates establish office hours or schedule of hours at certain designated places for trying cases in their respective districts. *Provided,* further that all salaried Constables in Richland County shall be deputized to preserve order in their respective Magisterial Districts.

TOTAL: SUBSECTION III $389,080.34

SUBSECTION IV. EDUCATION, HEALTH, AND WELFARE DEPARTMENTS AND AGENCIES

ITEM A. BOARD OF EDUCATION

1. Superintendent of Education's Office

a. Salaries

(1) Superintendent of Education ..... $ 4,378.50

Provided, however, if the State fails to pay the Superintendent of Education a portion of

her salary, then such amount is hereby appropriated to bring her salary up to $9,428.50 and no more.

(2) Official travel, Superintendent of Education .	470.00
(3) Chief Clerk	4,511.24
(4) Clerk Stenographer	3,276.00
(5) Clerk Stenographer salary supplement	1,233.33
b. Per diem and mileage, 7 members of the Board of Education, if so much be necessary	1,400.00
c. Office and staff expense	800.00
d. Audit of Books and Records	2,000.00
	18,069.07
2. Special Services	
a. Salaries	
(1) Salary supplement, School Lunch Supervisor	3,101.78
(2) Salary supplement, Attendance Supervisor ..	4,052.98
(3) Coordinator of Instruction	6,556.80
(4) Supervisor	5,114.40
b. Rent, Utilities, Supervisor	180.00
c. Workmen's Compensation Insurance	101.00
	19,106.96
TOTAL: ITEM A	$ 37,176.03

Provided, that the expenditures listed in (1) and (2) above for the office of the Superintendent of Education and for Special Services shall be paid from the fifteen-mill tax levied as an equalization fund for the several school districts and the remainder of the fifteen-mill equalization levy shall be distributed as herein directed.

Provided, that the fifteen-mill school equalization levy shall be collected by the Treasurer of Richland County and both back tax and current tax collections shall be distributed to the districts of the county on a per-pupil average daily attendance basis for the fiscal year prior to the collection.

Provided, that the Treasurer of Richland County shall transfer to the Richland County Board of Education a sum not to exceed eighteen thousand sixty-nine dollars and seven cents, as set forth in Section (1) above, from the proceeds of the fifteen-mill tax referred to above, which sum shall be used for the purpose of paying salaries and expenses of the office of the County Superintendent of Education for the fiscal year 1965-66. *Provided,* further, that the Treasurer of Richland County shall transfer to the Richland County Board of Education Fund a sum not to exceed thirty-seven thousand, one hundred seventy-six dollars and three cents, as set forth in Section (2) above, the sum to be used for the purpose of paying salaries and expenses for special services of the office of the Richland County Superintendent of Education rendered to Districts 2, 5 and 6 for the fiscal year 1965-66. This sum shall be transferred from that portion of the proceeds of the fifteen-mill equalization levy apportioned to School Districts 2, 5 and 6. *Provided,* that the local school boards of trustees of School Districts 2, 5 and 6 of Richland County shall expend annually as textbook aid from the proceeds of the fifteen-mill equalization fund a sum of not less than two dollars and fifty cents per pupil officially enrolled in grades one through six, inclusive.

ITEM B. DEPARTMENT OF PUBLIC WELFARE

1. Salaries
   a. Salary supplement, director ..... $ 1,940.57
   b. Salary supplement, Welfare Workers, not to exceed $20 per month per employee, if so much be necessary 10,000.00
   c. Official travel five child welfare workers 3,360.00
2. Child Welfare Account for Clothing, Boarding Homes, etc. 2,500.00

3. Emergency welfare assistance		3,600.00
4. Janitorial service		1,226.24
5. Rent		7,200.00
6. Heat, lights, water and electricity		3,200.00
7. Telephone		1,500.00
		34,526.81
TOTAL: ITEM B	$	34,526.81

Provided, that if the sum of $20 per month appropriated for salary supplement to welfare workers exceeds the amount necessary for that purpose, the unexpended portion may be used, with the prior approval of the Board of Administrators, for such additional salary supplements as the Director of the Department of Public Welfare may deem advisable. *Provided,* that the Richland County Department of Public Welfare shall furnish the Juvenile-Domestic Relations Court of Richland County such aid and assistance as is available through the facilities of the department in providing for the temporary clothing, housing and maintenance of neglected or abandoned children within the jurisdiction of the court.

ITEM C. RICHLAND COUNTY HEALTH DEPARTMENT

1. Salaries, supplies, equipment and other expenses	$	67,640.00
2. Dog control program		4,946.20
		72,586.20
TOTAL: ITEM C	$	72,586.20

Provided, that the Richland County Health Department shall submit for approval by the Board of Administrators a schedule of fees charged by the department, and shall deposit monthly with the Treasurer of Richland Coun-

ty all fees collected by the department, the same to be credited to the general fund of Richland County. *Provided,* further, that none of the above appropriation shall be spent without the approval of the County Health Officer. *Provided,* further, that if the above amount does not equal twenty cents per capita for the county's population according to the official 1950 Federal Census, such additional amount is hereby appropriated. *Provided,* further, that the director of the County Health Department shall file with the Board of Administrators an itemization of the above appropriation on or before July 1, 1965, and the sum herein appropriated may not be expended until approval of such itemization by the Board of Administrators. *Provided,* further, that the County Health Department shall furnish all necessary dental care to county prisoners.

ITEM D. RICHLAND COUNTY MENTAL HEALTH CLINIC

1. One-half Share of Budget ..... $ 33,000.00

TOTAL: ITEM D ..... $ 33,000.00

Provided, that the Richland County Mental Clinic shall submit for approval by the Board of Administrators a schedule of fees charged by the Clinic, and shall deposit monthly with the Treasurer of Richland County all fees collected by the Clinic, the same to be credited to the general fund of Richland County. *Provided,* further, that the director of the Mental Health Clinic shall file with the Board of Administrators an itemization of the above appropriation on or before July 1, 1965, and the sum herein appropriated may not be expended until approval of such itemization by the Board of Administrators.

ITEM E. COLUMBIA HOSPITAL OF RICHLAND COUNTY

1. Inpatient Charity $360,000.00
To be paid only upon claims of the Columbia Hospital to be presented monthly to cover expenses of charity patients, both white and colored, who are residents of Richland County, South Carolina, and admitted by the hospital, all of such claims to be based on a rate of fourteen dollars per day per patient.
Provided, that the county treasurer is hereby authorized to advance the foregoing appropriation at an amount not to exceed thirty thousand dollars per month. *Provided,* further, that the Board of Trustees of Columbia Hospital is authorized, in conjunction with the Department of Public Welfare, to place indigent patients in nursing homes, provided that the cost of same shall be borne by the Department of Public Welfare and shall not be paid out of the amount hereinabove appropriated.

2. Outpatient Charity Clinic 39,000.00

399,000.00

TOTAL: ITEM E $399,000.00

Provided, that out of the funds herein appropriated for the Outpatient Charity Clinic, the Board of Trustees of Columbia Hospital is authorized to employ a part-time director of the Clinic, and to pay the part-time director for his services such compensation as the board may consider to be appropriate.
Provided, that the hospital shall cooperate with the State Board of Health and work in conjunction with the county physicians.

ITEM F. RICHLAND COUNTY PUBLIC LIBRARY

1. Supplement to one-mill levy for library purposes, if so much be necessary ..... $ 83,500.00

TOTAL: ITEM F ..... $ 83,500.00

Provided, that the total appropriation for the Public Library shall be $173,500.00 and, if the one-mill levy and the supplement herein provided fail to yield that amount, then such amount is hereby appropriated as will bring its total appropriation to $173,500.00, and no more.

ITEM G. RICHLAND COUNTY TECHNICAL EDUCATION CENTER

1. County share of budget ..... $ 45,349.00

TOTAL: ITEM G ..... $ 45,349.00

Provided, the contribution of the State of South Carolina to the 1965-66 budget be not less than $320,000.00.

Provided, that the student tuition and charges for attendance shall be subject to the approval of the Board of Administrators.

TOTAL: SUBSECTION IV $705,138.04

SUBSECTION V. MISCELLANEOUS DEPARTMENTS AND AGENCIES

ITEM A. ASSESSMENT

1. Board of Assessment Control ..... $ 74,553.00
2. Board of Assessment Appeals, if so much be necessary 2,925.00

77,478.00

TOTAL: ITEM A ..... $ 77,478.00

Provided, that the members of the Richland County Board of Assessment Appeals shall receive $12.50 per day each, and each shall be paid direct by the Supervisor, upon properly executed vouchers presented based upon work actually performed.

ITEM B. BOARD OF REGISTRATION

1. Per diem for board members, if so much be necessary	$	3,500.00
TOTAL: ITEM B	$	3,500.00

Provided, that the members of the Board of Registration shall be paid at the rate of $10.00 per day actually served.

ITEM C. COOPERATIVE EXTENSION SERVICE OF CLEMSON UNIVERSITY

1. Salaries		
a. County Agent	$	2,048.72
b. Three Assistant County Agents		2,160.00
c. Stenographer, County Agent		1,535.94
d. Home Demonstration Agent		1,028.41
e. Stenographer, Home Demonstration Agent		1,182.00
f. Stenographer, Assistant County Agent		2,826.66
2. Demonstration Materials, Home Agents		200.00
3. Demonstration Materials, County Agent		100.00
4. Boys' 4-H Club Work		300.00
5. Girls' 4-H Club Work		300.00
6. Long Distance Telephone, County Agent, and Home Agent		250.00
		11,931.73
TOTAL: ITEM C	$	11,931.73

ITEM D. COUNTY FORESTRY BOARD

1. Salary supplement, County Ranger	$	1,098.70
2. Purchase of truck, with trade-in		1,136.09
3. Maintenance and operation of county-owned vehicles		1,800.00
		4,034.79
TOTAL: ITEM D	$	4,034.79

Provided, that the amount appropriated for maintenance and operation shall be expended on a basis of $30 per month per county-owned vehicle, if so much be necessary.

ITEM E. COLUMBIA TOWNSHIP AUDITORIUM

1. Annual installment payment on heating and air conditioning equipment ..... $ 10,000.00

TOTAL: ITEM E ..... $ 10,000.00

ITEM F. OFFICE OF THE ADJUTANT GENERAL

1. Support of National Guard units in Richland County ..... $ 6,500.00

TOTAL: ITEM F ..... $ 6,500.00

Provided, that such sum shall be allocated to the National Guard units in Richland County not on active duty.

ITEM G. RICHLAND-LEXINGTON JOINT PLANNING COMMISSION ..... $ 3,934.11

TOTAL: ITEM G ..... $ 3,934.11

ITEM H. RICHLAND COUNTY-CITY OF COLUMBIA CIVIL DEFENSE AGENCY

1. County Share of Budget ..... $ 6,400.00

TOTAL: ITEM H ..... $ 6,400.00

Provided, a like amount be contributed in cash by the City of Columbia.

ITEM I. RICHLAND COUNTY PLANNING BOARD ..... $ 15,000.00

TOTAL: ITEM I ..... $ 15,000.00

Provided, that the Richland County Planning Board shall file with the Board of Administrators an itemization of the above appropriation on or before July 1, 1965, and the sum herein appropriated may not be expended unless approved by the Board of Administrators; or if such itemization cannot be filed, no expenditure shall be made or authorized until approved by the Board of Administrators. *Provided,* further, that one member of the Richland County Board of Administrators, desig-

nated by the chairman of the Board, shall sit as *ex officio* member without vote on the Richland County Planning Board.

TOTAL: SUBSECTION V $138,778.63

SUB-SECTION VI. COUNTY AID AND CONTRIBUTIONS

ITEM A. THE HEARING AND SPEECH CENTER $ 5,000.00

ITEM B. THE SHELTERED WORKSHOP ..... $ 3,300.00

ITEM C. THE ASSOCIATION OF THE BLIND OF S. C. ..... $ 1,000.00

ITEM D. TRAVELER'S AID SOCIETY ..... $ 600.00

ITEM E. GOOD SAMARITAN-WAVERLY HOSPITAL, if so much be necessary, for charity $ 25,000.00 *Provided,* that this amount shall be paid only upon claims of the Good Samaritan-Waverly Hospital to be presented monthly for hospital costs and expenses of charity patients, who are residents of Richland County, South Carolina, and admitted by the hospital. All of such claims are to be based on a charge of $7.50 per day, per patient for the first thirty days of hospitalization of a particular patient; on a basis of $3.00 per day on the next succeeding thirty days of hospitalization of such patient, and thereafter on a basis of $2.50 per day for succeeding days of hospitalization for that patient. *Provided,* further, that the County Treasurer is hereby authorized to advance the foregoing appropriation at an amount not to exceed $2,083.33 per month. *Provided,* further, that such advance shall not exceed the patient per diem filed by the Good Samaritan-Waverly Hospital for the preceding month.

ITEM F. CAROLINA CHILDREN'S HOME ..... $ 10,000.00

ITEM G. U. S. O. ..... $ 6,502.00

ITEM H. CAROLINA CARRILLON ..... $ 2,000.00 *Provided,* that a like amount be contributed in cash by the City of Columbia, and, in the event a lesser amount is contributed by the City of

	Columbia, the contribution of Richland County shall be reduced to equal the amount contributed by the City.	
ITEM I.	SOCIETY FOR PREVENTION OF CRUELTY TO ANIMALS	$ 1,000.00
	Provided, that from the funds appropriated, the Society for the Prevention of Cruelty to Animals shall provide for the inoculation of all animals in its care prior to release.	
ITEM J.	HISTORIC PRESERVATION COMMISSION	$ 10,000.00
ITEM K.	COLUMBIA MUSEUM OF ART	$ 38,000.00
ITEM L.	INDUSTRIAL DEVELOPMENT COMMISSION of the Greater Columbia Chamber of Commerce, if so much be necessary	$ 15,000.00
	Provided, the City of Columbia and the Greater Columbia Chamber of Commerce each contributes a like amount of the budget of the Commission.	
ITEM M.	RICHLAND SOIL CONSERVATION DISTRICT	$ 1,400.00
ITEM N.	FUTURE FARMERS OF AMERICA ...	$ 300.00
		119,102.00
	TOTAL: SUB-SECTION VI	$ 119,102.00
	TOTAL: SECTION TWO	$2,838,441.21
	LESS: BOARD OF EDUCATION	$ 37,176.03
	TOTAL: ORDINARY COUNTY PURPOSES	$2,801,265.18

SECTION 3. Overdrawing of Appropriations. No office, agency or department of Richland County shall in any way create a debt in excess of or overdraw the specific appropriation made herein for such office, agency or department, unless the same shall have been first approved by the Board of Administrators and a specific appropriation made therefor by the board from the contingent fund established in this act. It shall also be the duty of every office, agency, and department of Richland County to ascertain, at least quarterly, from the clerk

of the Board of Administrators, the status of its appropriations and to maintain sufficient and adequate records and controls to the end that ordinary expenditures shall not exceed the amounts appropriated by this act. If any office, agency, or department of Richland County shall overdraw its appropriation in violation of this section, the amount of such overdraft shall be deducted from the compensation provided for the administrative head of such office, agency, or department, unless such payment to Richland County be waived by the Board of Administrators for good cause shown.

SECTION 4. Unexpended Appropriations. All appropriations made herein are made subject to the right and authority of the Board of Administrators to alter, modify, change, increase, or decrease any unexpended and unpledged portion of any appropriation where, in the judgment of the board, such alteration, modification, change, increase or decrease shall be necessary in the best interests of Richland County or shall be required to conform with the revenue anticipated or received during the life of this act. No such action may be taken by the Board of Administrators except in the course of a duly called public meeting, after due notice to the head of any office, department or agency affected thereby.

SECTION 5. Unappropriated and Unpledged Funds. Any unappropriated and unpledged surplus funds in the hands of the Treasurer of Richland County are held by the treasurer subject to the right and authority of the Senator and at least one-half of the members of the House Delegation of Richland County to pledge, appropriate and obligate such surplus funds where, in their judgment, such pledge, appropriation, or obligation is necessary in the best interests of Richland County. No such action shall be taken except in the course of a duly called public meeting of the Richland County Delegation after due notice to the county treasurer and to the Board of Administrators, the notice to request the opinion of the treasurer and of the Board of Administrators as to the effect of the action proposed upon the revenues available to meet the appropriations made in this act.

SECTION 6. Purchasing by County Agencies. All supplies, services, implements, and equipment of whatever kind or nature to be purchased by any office, agency, or department of Richland County, and any property of whatever kind or nature of any office, agency, or department of Richland County to be sold shall be purchased or sold by the Board of Administrators upon such rules and regulations as the

board may from time to time promulgate to the end that, wherever possible, supplies, services, implements, and equipment shall be purchased or sold upon competitive bid, that county purchasing shall be consolidated and let for bid upon a regular periodic basis, and that a uniform central method of purchasing shall be established for Richland County. No bill, account, or claim against Richand County for any supplies, services, implements, or equipment shall be paid unless the same shall have been contracted for and purchased by the Board of Administrators pursuant to its published regulations.

SECTION 7. Purchasing by Jointly Supported Agencies. In order that all purchases of services, supplies, implements, and equipment from funds appropriated in this act be made in accordance with an established purchasing procedure, the appropriation made herein for any agency supported in part by Richland County and in part by any other governmental entity shall be expended for the purchase of services, supplies, implements, and equipment only in one of the following methods:

(1) By the Board of Administrators upon such rules and regulations as the board may from time to time promulgate;

(2) By any other participating governmental entity upon such rules and regulations as that governmental entity may from time to time establish for its own purchasing;

(3) By the jointly supported agency itself pursuant to uniform rules, regulations and procedures established in advance by the agency and approved by the Board of Administrators.

SECTION 8. Salaries of Employees. Unless otherwise specifically provided in this act, all salaries herein appropriated shall be paid in bi-weekly installments and the salary or other compensation provided for any officer or employee of any department, board, or agency of Richland County is provided and appropriated for the compensation of the individual presently employed, and, in the event of a vacancy in any position for which compensation is provided in this act, no salary or other compensation may be paid to any new officer or employee of Richland County until such salary or compensation has first been fixed by the Board of Administrators, the authority to be exercised by the Board of Administrators to the end that a more uniform system of compensation for all officers and employees of Richland County may be established.

SECTION 9. Travel and Official Expenses. Unless otherwise specifically provided in this act, the salaries of any officer or employee of Richland County includes compensation for any travel or other official expense necessarily incurred in the performance of the duties and responsibilities of such officer or employee, and no additional compensation shall be paid for travel or official expenses. Any extraordinary or unanticipated travel or official expenses may be provided by the Board of Administrators from the contingent fund established by this act upon application in advance to the board.

SECTION 10. Payment of Lump Sum Appropriations. Unless otherwise specifically provided in this act, payment of any unitemized or lump sum appropriation shall accrue and be paid monthly upon proper application therefor to the county treasurer. The requirements of this section may be waived, changed, or amended by the Board of Administrators where, in its judgment, the same shall be consistent with the purposes of this act, and in the best interests of Richland County.

SECTION 11. Payment to Columbia Hospital. The Treasurer of Richland County is hereby authorized and directed to turn over and deliver to the Board of Trustees of the Columbia Hospital of Richland County all operating funds legally due and in the control and possession of the Treasurer of Richland County for the hospital; and the Board of Trustees of Columbia Hospital of Richland County is hereby authorized and empowered to receipt for and deposit same and deposit all future operating receipts and revenues to its own account or accounts in a bank or banks in the City of Columbia, South Carolina, and disburse same by checks issued by the duly authorized officer or employee of the hospital.

SECTION 12. Payment to Delegation Office. The Treasurer of Richland County is hereby authorized and directed to turn over to the secretary of the Legislative Delegation sufficient moneys from the general fund of the county to pay the cost of supplies and official legislative expense. The secretary to the delegation shall deposit same in a bank to be expended upon approval of the Senator and at least half of the members of the House of Representatives from Richland County.

SECTION 13. Payment to School Districts. Nothing in this section contained shall apply to School District No. 1 of Richland County. In the payment of expenses incurred in all other school dis-

tricts of the county a separate warrant or order, directed to the county treasurer, signed by a majority of the board of trustees of the disbursing district, shall be issued direct to each payee in strict conformity with the general school law of South Carolina; *provided,* nevertheless, as follows:

In order to facilitate and expedite the payment of salaries of personnel in all categories regularly employed for a scholastic or calendar year, also for the payment of separate bills, amounting to less than one hundred dollars each for special services or school materials properly payable from school operation and maintenance funds, it shall be lawful for a board of trustees to issue a consolidated or "master" warrant on the county treasurer in the aggregate amount of all or any portion of the aforesaid salaries and bills due and payable in the current "school" or calendar month, such master warrant to be payable to the school district in the name of its previously designated disbursing agent, preferably the school district superintendent, though any other full-time, adult employee of the district shall be eligible. Each master warrant shall have on its face or back, or on a sheet securely attached thereto, a complete list of all ultimate payees with the amount due to each plainly set forth; and, except for salaries aforesaid, there shall also be securely attached a separately printed or written, fully itemized statement from each ultimate payee showing the amount and nature of the services rendered or supplies furnished. The Richland County Board of Education may (by standing resolution embodying such restrictions as it may impose) authorize the county superintendent of education, in his discretion, to process all such master warrants for payment without prior reference to the county board. The processed master warrant shall be deposited by the district's disbursing agent in a separate account in a Columbia F.D.I.C. bank to the credit of the school district and by such agent disbursed by check to the several payees named on the list aforementioned. All disbursing agents shall keep a neat and permanent record of all their transactions as such agents on uniform record and voucher prescribed by and furnished through the county board aforesaid, and these records shall be available to the public for inspection at all reasonable times. The county superintendent of education shall require all disbursing agents at the proper time to submit their records and vouchers to the auditors employed to make the annual audits of the Richland County records and such auditors shall check and verify same as an integral portion

of the county school accounts. Each disbursing agent shall furnish the district at its expense a fidelity bond in the penal sum of not less than five thousand dollars, or as much more as the district board of trustees may deem advisable.

The conditions set forth in the foregoing proviso of this section are joint and not severable and the proviso, in its entirety, is to be construed as an optional alternate procedure in paying salaries of whatever amount and separate bills, regardless of number, amounting to less than one hundred dollars each.

SECTION 14. Annual Audit of School Districts. The Board of Trustees of School District No. 1 shall file a copy of the annual audit of this school district in the office of the clerk of court within ten days from the preparation thereof, for the benefit of the public, as other public documents are filed in such office.

SECTION 15. Annual Audit of Charitable Organizations. All charitable and other organizations which receive any part of their income from Richland County are hereby required to have an annual audit made at the end of their fiscal year and to file a copy thereof with the Richland County Delegation and the Board of Administrators within ten days after the preparation thereof.

Upon failure to file such reports as herein provided for, the Treasurer of Richland County is hereby directed to withhold further payments to such organization until such audit is filed.

SECTION 16. Revenue in Excess of Appropriations. Except as is otherwise specifically provided, all revenue accruing to Richland County from any source whatever in excess of the amount necessary to pay the appropriations made under the terms of this act shall be allocated to the general fund of Richland County.

SECTION 17. Office Hours. The Richland County Court House and all other offices, agencies, and departments shall be open not later than 9:00 o'clock a. m., and shall close not sooner than 5:00 o'clock p. m., Monday through Friday of each week. Except in emergencies, all of the offices, agencies, and departments of Richland County may close on Saturday of each week. However, the clerk of court shall keep open the public records room in his office from 9:00 o'clock a. m. until 12:00 noon on Saturday and at such further times as he may consider necessary to afford adequate opportunity for public access to such records.

Notwithstanding any other provision of law, the Richland County Court House and all other agencies, offices, and departments of Richland County shall be closed only in observance of the following holidays: New Year's Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day. The Board of Administrators may authorize the closing of the Richland County Court House or any of the offices, agencies, or departments of Richland County for such days or parts of days as the board may from time to time consider to be appropriate.

The minimum work week of all employees of Richland County shall be the normal office hours as prescribed in this section and such additional time, not to exceed forty hours per week, as, in the opinion of the head of any department, agency, or office, is necessary for the proper and efficient operation of such agency, department, or office. Only such hours of work as are in excess of forty hours per week shall be considered as overtime.

SECTION 18. Twenty-five Year Tenure. Any employee who shall have tenure of twenty-five years or more in Richland County shall receive an additional sixty-five dollars per year, prorated on a monthy basis, over and above the salary provided in this act.

SECTION 19. Marking of County Vehicles. All automobiles, station wagons, trucks, construction equipment, and other vehicles owned by Richland County or by any public agency receiving an appropriation under the terms of this act shall be clearly and distinctly marked or painted with the name of Richland County and/or of the appropriate public agency. The size, language, and location of the same shall be prescribed and/or approved by the Board of Administrators. The requirements of this section may be waived by the Board of Administrators where, in the opinion of the board, the public interest may more appropriately be served by the use of unmarked vehicles.

SECTION 20. Payment of Fees. The Treasurer of Richland County is authorized to designate an employee or employees in any office, agency, or department of Richland County, where the fees charged by such department are presently paid directly to the treasurer, as a deputy treasurer to collect the fees and remit the same to the county treasurer to the end that all fees may be paid and collected in the office, agency, or department where the service is performed. The fees shall be collected, receipted for, and remitted, pursuant to regulations prescribed and/or approved by the Board of Administrators. Employees in any department collecting fees shall be bonded.

SECTION 21. Compliance with Act. The appropriations made in this act are conditioned upon the compliance by any department, office, agency, or organization receiving such appropriation with all of the terms and provisions of this act or of any other act pertaining to such department, office, agency, or organization. The Board of Administrators may withhold payment of any appropriation made in this act from any department, office, agency, or organization found by the board to be operating in violation of this section.

SECTION 22. Invalidity of Part of Act. If any section, paragraph, item or provision of this act shall be held invalid by a court of competent jurisdiction, such invalidity held shall not affect, impair or invalidate any remaining section, paragraph, item, or provision of this act.

SECTION 23. Effective Date of Act. This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1965.

(R223, H1394)

No. 698

An Act To Authorize The County Board Of Commissioners Of Saluda County To Borrow Not Exceeding One Hundred Twenty-Five Thousand Dollars For General County Purposes And To Provide For Repayment.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Saluda County may borrow money.—The County Board of Commissioners of Saluda County is hereby authorized to borrow for general county purposes not exceeding one hundred twenty-five thousand dollars. The indebtedness shall be evidenced by notes signed by the chairman of the board and the county treasurer. The indebtedness shall be repaid upon such terms as the borrower and lender may agree, not to exceed twelve years or to exceed four per cent interest. For the payment of the indebtedness, the full faith, credit and taxing power of the county are irrevocably pledged and the county auditor and county treasurer are directed to levy and collect annually a sufficient sum to pay the principal and interest thereon.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of March, 1965.

(R530, S363) **No. 699**

An Act To Transfer Funds From The School Sinking Fund Of Saluda County To The General Operating Fund Of School District No. 1.

Whereas, there was created a sinking fund for the retirement of school bonds in Saluda County; and

Whereas, these bonds have been retired and there is a surplus remaining in the sinking fund. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Saluda County to transfer funds.—The Treasurer of Saluda County shall transfer all funds remaining in the school sinking fund of Saluda County to the general operating fund of School District No. 1.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R560, H1787) **No. 700**

An Act To Provide For The Levy Of Taxes For Saluda County For School And County Purposes For The Fiscal Year Beginning July 1, 1965; To Provide For The Expenditure Thereof; And To Provide For Other County Purposes.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. A tax of . . . mills as is necessary to raise the amount of money hereinafter appropriated is hereby levied on all taxable property in Saluda County for school and county purposes for the fiscal year July 1, 1965, to June 30, 1966, for the amounts and purposes hereinafter mentioned:

Item 1.	(a) Roads and Bridges:	
	Maintenance of roads and bridges, tractor force and convicts, and purchase of concrete pipe	$ 50,000.00
	(b) Miscellaneous expenses	725.00
	Any balance that might be in Item 1 at the end of the fiscal year (June 30, 1965) shall be transferred to Item 1 for the new fiscal year 1965-1966, and shall be in addition to the amount set forth in Item 1.	
	Total, Item 1	$ 50,725.00
Item 2.	Salaries, payable monthly:	
	Clerk of Court	$ 1,100.00
	Treasurer (County's part)	1,000.00
	Auditor (County's part)	1,000.00
	Chairman, Board of Commissioners, for full time	4,800.00
	Travel expense	1,500.00
	The Chairman of the Board of Commissioners, in connection with his employment as such, shall be furnished gasoline from the pumps located at the County Home for official business.	
	Two County Commissioners @ $500.00 each, ..	1,000.00
	and expenses @ $400.00 each	800.00
	Clerk of Board	3,200.00
	Superintendent of Education, salary	650.00
	Travel expense	600.00
	Judge of Probate	2,950.00
	Provided, that the Judge of Probate shall receive in addition to the above all fees collected by him for the issuance of marriage licenses. The fee for each such application and marriage license issued by him shall be $2.50.	
	Magistrate at Courthouse	1,825.00
	Constable at Courthouse	1,200.00
	Magistrate at Ridge Spring	1,000.00
	Constable at Ridge Spring, to be deputized by Sheriff, at Sheriff's discretion	600.00
	Two Magistrates @ $475.00 each	950.00
	Two Constables to Magistrates @ $200.00 each	400.00
	Coroner and his Deputy	600.00
	Clerical help, $10.00 for each case	120.00

Travel expense	600.00
Janitor, full time at Courthouse, Jail, Agricultural Building and grounds at $150.00 per month	1,800.00
County Attorney	300.00
County Physician	480.00

Provided, that the County Physician shall act as one of the examining physicians in each lunacy case and assist in all post mortems, without extra compensation.

Clerical help for Clerk of Court's Office	3,400.00

Provided, that such help shall be employed by the Clerk of Court.

Treasurer's expenses	300.00
Auditor's expenses	460.00
Clerk of Court's expenses	675.00
Sheriff	3,200.00
Sheriff's expenses	1,600.00

Provided, that the Sheriff and his family shall occupy the living quarters of the jail and shall have full use of the county property therein, including the payment for lights and water.

Provided, further, that the Sheriff shall receive in addition to the above all fees collected in his office.

Two Deputy Sheriffs (to be appointed by the Governor, upon the recommendation of the Sheriff and a majority of the delegation):

Deputy Sheriff, living at Saluda	4,500.00
Deputy Sheriff, living at Ward:	
Salary	2,900.00
Expenses	1,600.00
Sheriff's and Deputies' clothing @ $200.00 each	600.00
Sheriff's Department—gas, oil and maintenance	3,000.00

Provided, it shall be the duty of each of the deputies to assist the tax collector in collecting delinquent taxes by serving notice of executions or otherwise as directed by the tax collector. The deputies shall receive $3.50 for each execution served. The two deputies above-mentioned shall be clothed with the authority to arrest without warrant any person known or suspected by them,

upon satisfactory information, of violation of any of the criminal laws of the State. *Provided,* further, that any person arrested shall be taken immediately to the most convenient magistrate and a warrant procured; *provided,* further, that the deputy sheriffs may perform all duties usually required of rural policemen and shall patrol the county as they may be directed by the Sheriff; and *provided,* further, that if the deputies fail to do their duty by not enforcing all laws they shall be subject to removal at any time by the Governor, upon the recommendation of a majority of the legislative delegation. The Sheriff or deputy sheriffs shall transfer all lunatics to the asylum free of all costs, except actual expenses. *Provided* further, that the deputy sheriffs shall work under the direction of the Sheriff and shall devote their entire time to the duties of the office. The Sheriff or deputy sheriffs shall act as Constable for the Magistrate for Saluda Courthouse.

Tax Collector	1,600.00
Tax Collector, expenses	570.00

Provided, that the Tax Collector shall clear his records of all personal property delinquent taxes, including automobiles, etc., one year from date of executions from the Treasurer's office.

Total, Item 2	$ 52,880.00

Item 3. Board of Assessors and Equalization, if so much be necessary ..... $ 1,500.00

Provided, that each member of the board of assessors shall receive compensation in the sum of thirty dollars annually; and *provided,* further, that the county board of equalization shall meet upon the call of the county auditor for not exceeding three days in any one year and shall receive per diem of ten dollars per day for not exceeding three days.

Tax assessment and equalization program	11,200.00
Total, Item 3	$ 12,700.00

Item 4.	Jail expenses, including dieting of prisoners at one dollar and fifty cents per day each, and bedding, less lights	$ 2,700.00
	Jurors and witnesses	2,800.00
	Water and fuel—Courthouse and Agricultural Building	2,100.00
	Lights for Courthouse Square	112.00
	Lights for Jail, Agricultural Building, Courthouse and County Farm	3,200.00
	Saluda Chamber of Commerce, industrial developments	1,000.00
	National Guard Unit	1,200.00
	Telephones located as follows: one in Treasurer's office, one in Commissioner's office, one in Judge of Probate's office, one in Civil Defense office, one in County Jail, one in Auditor's office, one in Superintendent of Education's office, one in Clerk of Court's office, one in Magistrate's office, one at County Home, and one in Sheriff's office; and long distance calls	2,100.00
	For Sheriff's travel expense outside Saluda County	100.00
	Courthouse supplies and Agricultural Building (including janitor and two telephones for Agricultural Building)	3,175.00
	Twelve months' rent, lights, fuel for Welfare Department, at $45.00 per month	540.00
	Twelve months' rent for Unemployment Board	180.00
	Vital Statistics	125.00
	Saluda Standard—printing county reports	125.00
	Miscellaneous office expenses, if so much be necessary:	
	Clerk of Court	1,300.00
	Sheriff	125.00
	Judge of Probate, office equipment	350.00
	Treasurer	400.00
	Office expense for tax billing machine	895.00
	Superintendent of Education	75.00
	Auditor	275.00
	Commissioner's Office	150.00
	Magistrate's Office, printing necessary blanks	150.00

Provided, that the bills for printing herein authorized shall be paid upon separate bills rendered by any county officer.
Provided, magistrates' jurors shall receive as compensation one dollar per day.

Tax Collector, books and stationery	225.00
Provided, the above office expense appropriations shall be excepted from the provisions of Section 5.	
Auditing County Officers' Books	500.00
Agricultural Department:	
4-H Boys' Club	50.00
4-H Girls' Club	50.00
F. F. A. Boys' Club, Saluda	75.00
J. H. A. Girls' Club, Saluda	75.00
F. F. A. Boys' Club, Hollywood	75.00
J. H. A. Girls' Club, Hollywood	75.00
F. F. A. Boys' Club, Ridge Spring	75.00
J. H. A. Girls' Club, Ridge Spring	75.00
N. H. A., Riverside	75.00
N. F. A., Riverside	75.00
County Agent	75.00
Home Demonstration Agent	100.00
Supplement to present County Agent's salary	500.00
Travel expense	1,200.00
Welfare Board	648.00
Supplement for Welfare Department, to be disbursed at the discretion of the Welfare Board	800.00
Health Center	5,287.00
Historical Commission	500.00
Mental Health	2,700.00
Civil Defense	2,575.00
Total, Item 4	$ 38,987.00

Item 5. Miscellaneous Contingent:
Provided, that the Saluda County Board of Commissioners may issue vouchers against this fund for the items herein specified and not exceeding the amounts set forth for the year 1954-1955:
All court expenses as may be incurred in excess of the specified appropriations in this act.

Coroner's jurors shall receive three dollars each and ten cents per mile for each case of court. Mileage shall be paid for the distance from home to place of inquest one way only.
Post mortems, inquests and lunacies
Transportation to State Hospital
Insurance on officers' bonds
Saluda County's proportional expense of S. C. Retirement System and Withholding Tax
Insurance and Sinking Fund
Insurance on county employees
Any funds paid out of the general miscellaneous contingent fund account, not approved in the county appropriations act, must be approved by the Saluda County Legislative Delegation.

GRAND TOTAL	$155,292.00
Less Estimated Revenue, other than Taxes:	
Gas tax	$ 64,000.00
Income tax	28,000.00
Other revenue	8,000.00
Total	$100,000.00
TO BE RAISED BY TAXATION	$ 55,292.00

SECTION 2. The fee that may be charged by the Clerk of Court for Saluda County for the recording, filing, indexing or registering of any mortgage or other instruments conveying an interest in, or creating a lien on, the crops growing or to be grown, or on personal property, made to any corporation under the Act of Congress known as the Farm Credit Corporation of 1933, if and as amended, a Regional Agricultural Credit Corporation, a Federal Intermediate Credit Bank, or any other corporation which rediscounts notes or other obligations with or procures loans from a Federal Intermediate Credit Bank, the Reconstruction Finance Corporation or the Government of the United States or any department, agency, instrumentality or officer thereof, shall be one dollar; and a copy or duplicate of such instrument shall be furnished to the recording officer; *provided,* that Saluda County is specifically excepted from the provisions of Section 27-61, of the 1962 Code. Notwithstanding the provisions of

Section 27-96 of the 1962 Code, the clerk of court shall charge one dollar and seventy-five cents for recording a deed, and one dollar and seventy-five cents for recording a mortgage on real estate.

SECTION 3. The county officials of Saluda County are hereby directed to collect the fees allowed them by law as a part of their salaries. The county treasurer shall retain twenty-five cents additional out of every tax execution fee collected and the tax collector shall retain one dollar and fifty cents out of every such execution.

SECTION 4. In anticipation of the collection of 1965 taxes, the county board of commissioners and the treasurer are hereby authorized to borrow an amount sufficient to meet the expenses of the county government for this fiscal year and pledge the taxes for 1965 in payment thereof, and the full faith, credit and taxing power of Saluda County are hereby pledged for the payment of such note or notes as are issued under the authority of this section.

SECTION 5. The above accounts shall be kept separate and distinct and expended only for the purposes for which appropriated; *provided,* no bill or claim shall be approved or paid unless the same shall state fully what it is for, giving the kind and quantity of the thing or commodity which it represents in addition to the amount and time when furnished. Any note or contract made by any officer of the county or county board in excess of the levy and appropriation herein shall be null and void insofar as the county is concerned; *provided,* however, that any officer or employee who disregards any of the provisions herein without the written consent of the Saluda County Legislative Delegation in the General Assembly, as kept on file in the office of the county treasurer, shall be guilty of malfeasance in office and subject to removal upon complaint of the Saluda County Legislative Delegation, in addition to the punishment now provided by law.

SECTION 6. All county officers shall make a complete report to the county treasurer of all fees, fines and monies received and disbursed by them, and file copies thereof with the Clerk of Court of Saluda County for the periods ending June 30, 1965, September 30, 1965, December 31, 1965, March 31, 1966 and June 30, 1966, and such reports shall be furnished not later than the tenth of the following month. Without further notice, such reports shall be public records and subject to inspection by the people of the county. Any

person who fails to file his report will not be paid his salary until the report is filed and he may be removed from office, in the discretion of the legislative delegation.

SECTION 7. All county officers shall be paid monthly and such payment shall not exceed one-twelfth of the amount appropriated. Not more than one-sixth of the amount of Item 1 shall be paid out in any one month, except in case of emergency, and if it be necessary and by consent of the delegation.

SECTION 8. As soon as the total amount of property for taxation has been ascertained for the year 1965, the auditor and treasurer, jointly, are authorized to increase or decrease the levy hereinbefore made to meet the appropriations herein provided, taking into account all other funds on hand for the purpose, gas tax as estimated, and other indirect revenues.

SECTION 9. The chairman of the board of commissioners has entire care and supervision of all county buildings and grounds, and he shall employ a janitor and shall have supervision over the janitor at all times. The chairman may designate someone to assist him during his absence.

SECTION 10. Any balance in any item, except Item 1, unexpended at the beginning of the fiscal year 1965-1966, shall be placed in the contingent account. All fines, forfeitures and forfeited land sales collected shall be placed in the contingent fund.

SECTION 11. The Treasurer is hereby authorized and required to place the money coming from whiskey, wine and beer tax in the fiscal year 1965-1966 in a separate fund to be known as "General School Fund," and this fund may be used in the discretion of the county superintendent of education by and with the consent of the county board of education.

SECTION 12. If, for any cause, the office of the chairman of the board of county commissioners, or either of the two commissioners, shall become vacant, the Governor shall, upon the recommendation of the Saluda County Legislative Delegation, appoint his successor.

SECTION 13. All offices of the courthouse may be closed at 12:30 o'clock p. m., every Saturday afternoon and every Wednesday afternoon.

SECTION 14. The expenditure of any funds from the State surplus coming to the county treasurer for school purposes or otherwise must be approved by the county delegation.

SECTION 15. The county farm shall be managed by the chairman of the board of county commissioners in cooperation with other members of that board, to the end that the farm may supplement the funds provided for the county chain gang.

SECTION 16. A reasonable rent shall be charged Federal agencies renting county-owned property. Such monies as are received from this source shall be placed in a special agricultural fund to be used for improvements on such buildings as are rented pursuant to the terms of this section, or for other purposes in the discretion of the legislative delegation.

SECTION 17. No tax levy for school purposes shall be effective unless approved by the legislative delegation of the county.

SECTION 18. All magistrates of the county shall be bonded in the sum of one thousand dollars in a bonding company approved by the board of county commissioners, and such premiums as may be required shall be paid from funds of the county.

SECTION 19. The court crier and bailiffs for the county shall receive the same compensation as provided by law for petit jurors of the circuit court.

SECTION 20. All county notes shall remain with the treasurer when paid and shall not be transferred to any other office or officer.

SECTION 21. All county offices shall be closed each year on the following days: January first, July fourth, the first Monday in September, Thanksgiving Day and December twenty-fifth and twenty-sixth.

SECTION 22. If any section of this act shall be found to be unconstitutional, it shall not be construed to affect the validity of any other section hereof.

SECTION 23. The county legislative delegation shall have the right at any time to alter any of the salaries or appropriations herein; *provided,* the alteration shall be in the form of a letter addressed to the proper authorities and signed by both members of the delegation.

SECTION 24. This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R697, S419)

No. 701

An Act To Authorize The County Board Of Commissioners Of Saluda County To Borrow Not Exceeding One Hundred Fifty Thousand Dollars For General County Purposes; To Provide For Repayment; And To Repeal An Act Of 1965 Bearing Ratification No. 223, Relating To The Saluda County Board Of Commissioners Borrowing One Hundred Twenty-five Thousand Dollars.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Saluda County may borrow money.—The County Board of Commissioners of Saluda County is hereby authorized to borrow from the Division of General Services of the State Budget and Control Board or any other source for general county purposes not exceeding one hundred fifty thousand dollars. The indebtedness shall be evidenced by notes signed by the chairman of the board and the county treasurer. The indebtedness shall be repaid upon such terms as the borrower and lender may agree, not to exceed twelve years or to exceed four per cent interest. For the payment of the indebtedness, the full faith, credit and taxing power of the county are irrevocably pledged and the county auditor and county treasurer are directed to levy and collect annually a sufficient sum to pay the principal and interest thereon.

Should the monies be borrowed from the Division of General Services and should there be default in any payment, the State Treasurer is directed to withhold any funds accruing to the county and to transmit them to the Division of General Services.

SECTION 2. Act 698 of 1965 repealed.—An act of 1965 bearing Ratification No. 223 is hereby repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R123, H1262) **No. 702**

An Act To Repeal Act No. 658 Of 1963 Relating To The Holding Of Elections In Liberty-Chesnee-Fingerville Water District In Spartanburg County For The Purpose Of Annexing The Cannons Area And Providing For Financing Water And Sewer Systems.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Act 658 of 1963 repealed.—Act No. 658 of 1963 is repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of March, 1965.

(R173, H1312) **No. 703**

An Act To Authorize The Liberty-Chesnee-Fingerville Water Commission To Issue General Obligation Bonds Of Liberty-Chesnee-Fingerville Water District In An Amount Not Exceeding One Hundred Thousand Dollars, To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which Their Proceeds May Be Expended, And To Make Provision For The Payment Of The Same.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds:

(1) Heretofore by Act No. 1120 of the Acts of 1960 the General Assembly created Liberty-Chesnee-Fingerville Water District in Spartanburg County (the district) and committed to it the function of providing water service for the district. Thereafter pursuant to such act Liberty-Chesnee-Fingerville Water Commission (the commission) was duly organized and following the election required by Act No. 1120 of 1960 issued general obligation bonds to the extent of one million two hundred thousand dollars and applied their proceeds to the cost of constructing and establishing a water system in the district.

(2) It has now been found that the water system of the district urgently requires extensions and improvements, including the installation of a water storage tank to provide adequate pressure for persons and industries within the district. It has been estimated that the same can be obtained at a cost of not exceeding one hundred thousand dollars.

(3) On the basis of this finding the General Assembly proposes to authorize the commission to issue general obligation bonds of the district, without the holding of any election, in order to provide means by which the required moneys may be raised.

SECTION 2. Bond issue authorized.—The commission is authorized to enlarge, extend and improve its water system; and to raise moneys for such purpose is authorized and empowered to issue not exceeding one hundred thousand dollars of general obligation bonds of the district, without the necessity of holding any election.

SECTION 3. Maturity.—All bonds issued pursuant to this act shall mature in such annual series or instalments as the commission shall provide, except that the first maturing bonds shall mature within three years from the date of issue; and no bond shall mature later than thirty years from the date of issue.

SECTION 4. Redemption.—Any bond issued pursuant to this act may be issued with a provision permitting its redemption prior to its stated maturity, at par and accrued interest, plus such redemption premium as may be prescribed by the commission, but no bond shall be redeemable prior to its stated maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of such bonds, provision shall be made specifying the manner of call and the notice thereof that must be given as to bonds made redeemable prior to their stated maturities.

SECTION 5. Form.—The bonds issued pursuant to this act shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Spartanburg County, upon such conditions as the commission may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instrument law.

SECTION 6. Where payable.—The bonds issued pursuant to this act shall be made payable at such place, within or without the State, as the commission shall provide.

SECTION 7. Interest.—Bonds issued pursuant to this act shall bear interest at rates determined by the commission.

SECTION 8. Denominations and execution.—The bonds and the coupons to be thereunto attached, shall be in such denomination and shall be executed in such manner as the commission shall by resolution prescribe.

SECTION 9. Sale.—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective maturities. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. Such published notice shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 10. Payment.—For the payment of the principal and interest of all bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the district shall be irrevocably pledged, and there shall be levied annually by the Auditor of Spartanburg County, and collected by the Treasurer of Spartanburg County, in the same manner as county taxes are levied and collected, on all taxable property in the district, a tax sufficient to pay the principal and interest of the bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

SECTION 11. Exempt from taxes.—The principal and interest of bonds issued pursuant to this act shall have the tax exempt status prescribed by Section 65-4.1, Code of Laws of South Carolina, 1962.

SECTION 12. Proceeds.—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of Spartanburg County, to be deposited in a bond account fund for the district and shall be expended and made use of as follows:

(a) Any accrued interest shall be applied to the payment of the first instalment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first instalment of principal of such bonds.

(c) The remaining proceeds shall be expended, upon the warrant or order of the commission, for the following purposes:

(i) To defray the costs of issuing the bonds authorized by this act;

(ii) To provide for extensions and improvements to the water system of the district, including the installation of a water storage tank; and

(iii) If, after the final completion of the commission's program, the commission shall certify to the Treasurer of Spartanburg County that any remaining balance in the bond account is no longer needed for its program, then such balance shall be held by the treasurer and used to effect the retirement of bonds then outstanding, which shall have been issued pursuant to this act.

SECTION 13. Powers to be additional.—The powers and authorizations hereby conferred upon the commission shall be in addition to all other powers and authorizations previously vested in the commission and may be availed of pursuant to action taken at any regular or special meeting of the commission.

SECTION 14. No further action required.—No action other than that prescribed in this act need be taken to effect the issuance of the bonds herein authorized, nor shall the commission be required to obtain the approval of any public agency to any action taken pursuant to the authorizations of this act.

SECTION 15. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of March, 1965.

(R206, H1369) **No. 704**

An Act To Provide For The County Of Spartanburg To Lend An Amount Not To Exceed Two Hundred Ten Thousand Dollars To The Waterworks Commission For The City Of Spartanburg, And To Fix The Terms And Conditions Of The Loan.

Whereas, it is highly desirable and advantageous to promote the industrial growth of Spartanburg County; and

Whereas, the accessibility of an ample supply of water is a prime factor in the attraction and promotion of industry; and

Whereas, the Waterworks Commission for the City of Spartanburg (hereinafter referred to as the "Commission") has agreed to install a water line to an industrial site, not within a water district, on which a most expansive industrial plant is to be constructed thereby offering employment and many other economic opportunities to the community; and

Whereas, the County of Spartanburg has offered financial assistance by way of loan toward the construction of this line on the terms and conditions hereinafter prescribed which are acceptable to the Commission. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Spartanburg County may lend certain money.—There is hereby appropriated from the general funds of Spartanburg County a sum not to exceed two hundred ten thousand dollars to be loaned by Spartanburg County, by and through the Spartanburg County Board of Control, unto the Waterworks Commission for the City of Spartanburg, for the purpose of installing a water line to an industrial site on U. S. Interstate Highway No. 85 near the Pacolet River.

SECTION 2. Terms.—The loan will not bear interest but shall be repayable in not more than six successive equal annual installments on the anniversary date of the loan. The Commission shall have the privilege to anticipate the payment of this obligation in multiples of one thousand dollars at any time before maturity date.

SECTION 3. Execution.—The loan will be evidenced by a negotiable promissory note executed by the Waterworks Commission and delivered to the Spartanburg County Board of Control.

SECTION 4. Payment.—All payments on the loan shall be made directly to the Spartanburg County Treasurer and deposited to the general operating fund account.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of March, 1965.

(R331, H1591)

No. 705

An Act To Authorize The Board Of Trustees Of School District No. 1 In Spartanburg County To Borrow Not Exceeding Fifty Thousand Dollars For School Purposes And To Provide For The Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. School District 1 may borrow money.—The Board of Trustees of School District No. 1 in Spartanburg County may borrow not exceeding fifty thousand dollars for school purposes. The amount so borrowed shall be evidenced by a note to be executed by a majority of the board of trustees, including the chairman, and shall bear such rate of interest, not to exceed four per cent, as may be agreed upon between the board of trustees and the lender and shall be payable within a period of two years from the date of the note. *Provided,* the borrowers reserve the right to anticipate the payment of part or all of the note at any time prior to the maturity date of the note.

SECTION 2. Payment.—For the payment of the note the auditor and the treasurer of the county shall respectively levy and collect an annual tax on all the taxable property of the district sufficient to retire the loan and interest thereon. The full faith, credit and taxing power of the district are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of April, 1965.

(R389, H1647)

No. 706

An Act To Authorize The Conveyance, Upon Conditions, By The Spartanburg County Board Of Control To Lockwood Greene Engineers, Inc., Of A Portion Of The Spartanburg County Farm Property.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Spartanburg County may convey certain property.—The Spartanburg County Board of Control is hereby authorized

and directed to convey, subject to the conditions hereinafter set forth, to Lockwood Greene Engineers, Inc., its successors and assigns, the following described portion of the Spartanburg County Farm property:

All that certain tract or parcel of land in Spartanburg County, State of South Carolina, being a part of Spartanburg County Farm property, known as Tract C on plat of survey for Lockwood Greene Engineers, Inc., made by Gooch & Taylor, Surveyors, April 1, 1965, containing 0.12 acres, more or less, and being more particularly described as follows:

Beginning at a point in the boundary line of property heretofore conveyed to Lockwood Greene Engineers, Inc., and property on which Mountain View Home is located, approximately 141.1 feet from an old pipe located in the right of way of a frontage road of U. S. Highway I-85, and running thence N 28-16 W 214.9 feet to an iron pin; thence S 26-17 W 62.2 feet to an iron pin; thence S 44-06 E 185.9 feet to a point, the beginning corner.

The conveyance shall be made subject to the following conditions: that Lockwood Greene Engineers, Inc., shall convey to the Spartanburg County Board of Control by proper, fee simple, general warranty deed the triangular portion of land shown as Lot B, containing 0.06 acres, on survey for Lockwood Greene Engineers, Inc., made by Gooch & Taylor, Surveyors, April 1, 1965. It shall be a further condition that Lockwood Greene Engineers, Inc., shall bear all costs of relocation and addition to the fence presently in place around Mountain View Home, and for any engineering cost involved in surveying and relocation of the fence.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of May, 1965.

(R429, H1648) **No. 707**

An Act To Authorize The Spartanburg Metropolitan District To Accept As A Gift From The Spartanburg County Foundation The Entire Sanitary Sewer System Located In The Camp Croft Area Near The City Of Spartanburg, And To Authorize The Spartanburg Metropolitan District To Operate And Main-

tain The System And To Collect A Sewer Service Charge For Treatment Of Waste And Maintenance Of Such System.

Whereas, the Spartanburg County Foundation is the owner of a sanitary sewer system located in the Camp Croft area near the City of Spartanburg, which area is outside of and near the boundaries of the Spartanburg Metropolitan District; and

Whereas, the waste from this system has been received and treated by the Spartanburg Metropolitan District at its Fairforest Disposal Plant for some twenty-three years at the expense of the owners of such system; and

Whereas, the Spartanburg County Foundation has collected a sewer service charge from the users of such system for the cost of treatment of waste and maintenance of such system; and

Whereas, the Spartanburg County Foundation desires to convey as a gift the entire sanitary sewer system owned by it to the Spartanburg Metropolitan District; and

Whereas, the Commissioners of the Spartanburg Metropolitan District are agreeable to accepting, operating and maintaining the sanitary sewer system and continuing the treatment of waste from this system. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Spartanburg Metropolitan District may accept sewer system located in Camp Croft area.—The Spartanburg Metropolitan District may accept as a gift, assume ownership of, operate and maintain the entire sanitary sewer system located in the Camp Croft area near the City of Spartanburg, and near the Spartanburg Metropolitan District, which system is to be conveyed by the Spartanburg County Foundation as a gift and at no cost to the Spartanburg Metropolitan District.

SECTION 2. Service charge.—The Spartanburg Metropolitan District may collect a sewer service charge from the users of such system for the treatment of waste from such system and for maintenance of the system. Such sewer service charge shall be no less than the actual cost of treatment of waste and maintenance of the system and such sewer service charge shall be determined from time to time by the Commissioners of the Spartanburg Metropolitan District.

SECTION 3. Connections and extensions.—The Commissioners of the Spartanburg Metropolitan District may, in their sole discre-

tion, permit connections to and extensions from such system; *provided,* that any connections to or extensions from the system which may be authorized shall be done at no expense to the Spartanburg Metropolitan District.

SECTION 4. When users may be disconnected.—The Commissioners of the Spartanburg Metropolitan District may, upon failure of a user to pay the sewer service charge hereby authorized or upon failure to comply with the rules and regulations for the operation of such system and after giving fifteen days' notice in writing to such user, disconnect from the system the sewer line of such user and plug such line; *provided,* however, that the Spartanburg County Health Department shall be notified in writing prior to such action being taken.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of May, 1965.

(R470, H1486)

No. 708

An Act Providing For The Creation Of Watershed Conservation Districts In Spartanburg County, The Election Of Directors And Their Powers And Duties; And Providing For A Levy Of Taxes For The Organization And Administration Of Such Districts, And For The Construction, Operation And Maintenance Of Works Of Improvement Within Such Districts.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Definitions.—Whenever used or referred to in this act, unless a different meaning clearly appears from the context:

(1) "Watershed conservation district" means a governmental subdivision of this State, and a public body corporate and politic, organized in accordance with the provisions of this act, for the purposes, with the powers, and subject to the restrictions hereinafter set forth.

(2) "Director" means one of the members of the governing body of a watershed conservation district, elected in accordance with the provisions of this act.

(3) "Supervisor" means one of the members of the governing body of the Spartanburg Soil Conservation District in which any part of a watershed conservation district is situated.

(4) "Petition" means a petition filed under the provisions of Section 4 of this act for the creation of a watershed conservation district.

(5) "County" means Spartanburg County of South Carolina.

(6) "Landowner" or "owner of land" includes any person, firm or corporation who shall hold legal or equitable title to any lands lying within a watershed conservation district organized under the provisions of this act.

(7) "Due notice" means notice published at least twice, with an interval of at least one week between the two publication dates, in a publication of general circulation within the appropriate area, or, if no such publication of general circulation be available, notice posted at a reasonable number of conspicuous places within the appropriate area, such posting to include, where possible, posting at public places where it is customary to post notices concerning county or municipal affairs generally.

SECTION 2. Watershed Conservation Districts may be formed in Spartanburg County.—Authority is hereby granted to form watershed conservation districts within Spartanburg County for the purpose of developing and executing plans and programs relating to any phase of the control and prevention of soil erosion, flood prevention, or the conservation, development, utilization and disposal of water.

SECTION 3. Area.—The area embraced in a watershed conservation district must be contiguous and must lie within a well-defined watershed; and such area shall not include lands located within the boundary of any incorporated city or town, or lands embraced in another watershed conservation district.

SECTION 4. Petition for formation.—When twenty-five or more landowners within a proposed watershed conservation district, or, if less than fifty landowners are involved, a majority of such landowners, desire to form a watershed conservation district, they shall file a petition with the supervisors of the soil conservation district asking that a watershed conservation district be organized to function in the area described in the petition. Such petition shall set forth: the proposed name of the watershed conservation district; that there is need, in the interest of the public health, safety and welfare, for a watershed conservation district to function in the territory described in the petition; a description of the territory proposed to be organized as a watershed conservation district, which description need not

be given by metes and bounds or by legal subdivisions, but shall be deemed sufficient if generally accurate; and the approximate number of acres of land included in the proposed watershed conservation district.

SECTION 5. Hearing on petition.—(1) Within thirty days after such petition has been filed with the supervisors of the soil conservation district, they shall cause due notice to be given of a hearing upon the question of the desirability and necessity, in the interest of the public health, safety and welfare, of the creation of such watershed conservation district. All interested parties shall have the right to attend such hearing and to be heard. If it shall appear at the hearing that other lands should be included in the petition or that lands included in the petition should be excluded, the supervisors shall permit such inclusion or exclusion, provided the land area involved still meets the requirements of Section 3 of this act.

(2) If it appears upon the hearing that it may be desirable to include within the proposed watershed conservation district territory outside of the area within which due notice of the hearing has been given, the hearing shall be adjourned and due notice of a further hearing shall be given throughout the entire area considered for inclusion in the proposed watershed conservation district, and such further hearing shall be held. After final hearing, if the supervisors of the soil conservation district determine, upon the facts presented at the hearing and upon other available information, that there is need, in the interest of the public health, safety and welfare, for a watershed conservation district to function in the territory considered at the hearing, they shall make and record such determination, and shall define the area, but the description need not be given by metes and bounds. The description shall be deemed sufficient if generally accurate and the approximate number of acres of land included in the proposed watershed conservation district is shown.

(3) If the supervisors of the soil conservation district determine after such hearing that there is no need for a watershed conservation district to function in the territory considered at the hearing, they shall make and record such determination and shall deny the petition.

SECTION 6. Referendum.—After the supervisors of the soil conservation district have made and recorded a determination that there is need, in the interest of the public health, safety and welfare, for a watershed conservation district to function in the territory considered

at the hearing, and have defined the boundaries thereof, they shall consider the question of whether the operation of a watershed conservation district within the proposed boundaries with the powers conferred upon it by this act is administratively practicable and feasible. To assist the supervisors in making this determination, they shall, within a reasonable time after the entry of a finding that there is need for the organization of a watershed conservation district and the determination of the boundaries thereof, hold a referendum within the proposed watershed conservation district upon the proposition of the creation of the watershed conservation district. Due notice of the referendum shall be given by the supervisors. Such notice shall state the date of holding the referendum, the hours of opening and closing the polls, and shall designate one or more places within the proposed watershed conservation district as polling places and shall give notice that the directors shall have the power of eminent domain. The supervisors shall have full charge of the referendum and shall have suitable ballots printed and furnished to each polling place, appoint necessary box managers and other referendum officials, and shall canvass the ballots and announce the results. The cost of holding the referendum shall be paid from the general fund of Spartanburg County. *Provided,* that notwithstanding any provision of law to the contrary, the power of eminent domain shall not be exercised over the protest of any landowner until it is conclusively established that the land proposed to be condemned is absolutely essential to the creation and operation of the watershed conservation district.

SECTION 7. Question.—The question to be voted on shall be submitted by ballots upon which appear the words:

"For creation of .....Watershed Conservation District"

"Against creation of .....Watershed Conservation District"

A square shall follow each proposition. The ballot shall contain a direction to insert an "X" mark in the square following one or the other of the propositions as the voter may favor or oppose creation of the watershed conservation district. The ballot shall set forth the boundaries of the proposed watershed conservation district as determined by the supervisors of the soil conservation district. No one except owners of lands lying within the boundaries of the proposed watershed conservation district, as determined by the supervisors of the soil conservation district, shall be eligible to vote in the referendum. Qualified voters may vote by absentee ballot in the referendum under such rules and regulations as may be prescribed by the super-

visors. No informalities in the conduct of the referendum or in any matters relating thereto shall invalidate the referendum or the result thereof if notice of the referendum shall have been given substantially as herein provided and the referendum shall have been fairly conducted.

SECTION 8. Results—district to be created if results and determination favorable.—The votes shall be counted by the referendum officials at the close of the polls and a report of the results along with the ballots shall be delivered and certified to the supervisors of the soil conservation district, and thereafter the supervisors shall determine whether the operation of the watershed conservation district within the defined boundaries is administratively practicable and feasible. If the supervisors determine that the operation of such district is not administratively practicable and feasible, they shall record such determination and deny the petition. If the supervisors determine that the operation of such district is administratively practicable and feasible, they shall record such determination and shall proceed with the organization of such district in the manner hereinafter set forth; *provided,* however, that the supervisors shall not have authority to determine that the operation of such district is administratively practicable and feasible unless at least a majority of the votes cast in the referendum upon the proposition of the creation of such district shall have been cast in favor of the creation of such district. If the supervisors shall determine that the operation of such district is administratively practicable and feasible, they shall certify such determination to the Clerk of Court of Spartanburg County, the Code Commissioner and to the Secretary of State. Upon proper recordation of such determination, such watershed conservation district shall constitute a governmental subdivision of this State and a public body corporate and politic. After being recorded, such certification shall be filed with the State Soil Conservation Committee.

SECTION 9. Board of directors to govern district—nominating petitions—election—ballots—terms—officers—bond of treasurer.—(1) The governing body of the watershed conservation district shall consist of five directors, elected as provided herein.

(2) Within thirty days after a watershed conservation district has been created, nominating petitions may be filed with the supervisors of the soil conservation district to nominate candidates for directors of the watershed conservation district. No such nominating petition

shall be accepted by the supervisors unless it is signed by twenty-five or more landowners within the watershed conservation district, or, if less than fifty landowners are involved, by a majority of such landowners. If the candidates nominated do not exceed the number of directors to be chosen, the supervisors shall declare them to be elected. No person shall be eligible to be a director of a watershed conservation district who is not a landowner in the watershed conservation district in which he seeks election.

(3) If the candidates nominated for directors of the watershed conservation district exceed the number of directors to be chosen, the supervisors of the soil conservation district shall, after having given due notice thereof, cause an election to be held within the watershed conservation district within a reasonable time after the expiration of the nominating period. The provisions of Sections 5, 6 and 7 of this act as to notice, qualifications of voters, absentee voting, and the manner of holding the referendum in organizing a watershed conservation district, shall apply insofar as practicable to the election of the directors. The names of all qualified nominees shall be printed in alphabetical order upon ballots with a square before each name and a direction to insert an "X" mark in the square before any five names to indicate the voter's preference. Only landowners within the watershed conservation district shall be eligible to vote in the election. The five candidates who shall receive the largest number respectively of the votes cast in the election shall be the directors of the watershed conservation district, and shall, upon the supervision of the supervisors of the soil conservation district, be the governing body of the watershed conservation district.

(4) Of the directors first elected, the two receiving the largest number of votes shall serve for terms of four years, the two receiving the next largest number of votes shall serve for terms of three years, and the one receiving the next largest number of votes shall serve for a term of two years. The term of office of each of their successors shall be for four years. Any vacancy shall be filled for the unexpired term as provided for the original directors.

(5) The directors shall annually designate from among their number a chairman, secretary and treasurer. The treasurer shall execute an official bond for the faithful performance of the duties of his office, to be approved by the directors. Such bond shall be executed by a surety company authorized to do business in this State and shall be in an amount determined by the directors. The premium on each bond shall be paid by the watershed conservation district.

SECTION 10. District to be corporate body—powers and duties.—A watershed conservation district organized under the provisions of this act shall constitute a governmental subdivision of this State, and a public body corporate and politic, exercising public powers, and such district and the directors thereof shall, subject to the approval of the supervisors of the soil conservation district, have the following powers, in addition to others granted in other sections of this act:

(1) To acquire, by purchase, exchange, lease, gift, grant, bequest, devise, or otherwise, or through condemnation proceedings in the manner provided in Sections 25-101 through 25-140 and Sections 33-121 through 33-148, Code of Laws of South Carolina, 1962, such lands, easements, or rights-of-way as are needed to carry out any authorized purpose of the watershed conservation district; and to sell, lease, or otherwise dispose of any of its property or interests therein in furtherance of the purposes and provisions of this act;

(2) To construct, reconstruct, repair, enlarge, improve, operate and maintain such works of improvement as may be necessary or convenient for the performance of any of the operations authorized by this act;

(3) To borrow money and to execute promissory notes and other evidences of debt in connection therewith for payment of the costs and expenses of organizing the watershed conservation district for carrying out any authorized purpose of such district, and if promissory notes are issued, to execute such mortgages on any property owned by such district, or assign or pledge such revenues or assessments of such district as may be required by the lender as security for the repayment of the loan; and to issue, negotiate and sell its bonds as provided in Section 11 of this act;

(4) To levy an annual tax on the real property within the district subject to the limitations provided in Section 13 of this act for payment of the costs and expenses of organizing the watershed conservation district or for carrying out any authorized purpose of such district. Such levy shall be made only after approval by the supervisors of the soil conservation district and upon notifying the county auditor.

SECTION 11. Bonds not to be issued unless referendum held.—(1) Bonds authorized by Section 10 of this act shall not be issued until proposed by order or resolution of the directors of the watershed conservation district, specifying the purpose for which funds are to be used and the proposed undertaking, the amount of bonds

to be issued, the rate of interest they are to bear, and the amount of any necessary tax levy in excess of the maximum authorized in Section 13 of this act. A copy of the order or resolution shall be certified to the supervisors of the soil conservation district.

(2) The supervisors shall hold a hearing on such proposal after having given due notice. If it appears that the proposal is within the scope and purpose of this act and meets all other requirements of the law, the proposal shall be submitted to the landowners of the district by a referendum held by the supervisors.

(3) The provisions of Sections 5, 6 and 7 of this act as to notice, qualifications of voters, absentee voting and manner of holding the referendum in organizing a watershed conservation district shall apply to the referendum held under this section.

(4) If two-thirds of the votes cast in such referendum favor the proposal, the directors shall, with the approval of the supervisors, be authorized to issue such bonds.

SECTION 12. Compensation.—The directors of the watershed conservation district shall receive no compensation for their services, but they may be reimbursed for expenses, including traveling expenses, necessarily incurred in the performance of their duties as approved by the supervisors of the soil conservation district.

SECTION 13. Budget—tax levy.—Within the first quarter of each calendar year, the directors of the watershed conservation district shall prepare an itemized budget of the funds needed for administration of the watershed conservation district and for construction, operation and maintenance of works of improvement. After approval of such budget by the supervisors of the soil conservation district, the county auditor shall levy a tax sufficient to meet such budget on all real property within the watershed conservation district of not to exceed five mills on each dollar of assessed valuation, except that this limitation shall not apply to any levy necessary to provide a sinking fund for the retirement of bonds authorized by Section 11 of this act. A copy of such budget shall be certified to the Auditor of Spartanburg County.

SECTION 14. List of landowners and acres subject to assessment.—(1) The directors of the watershed conservation district with the assistance of the county auditor shall prepare a list of the landowners involved showing the number of acres subject to assessment.

(2) When the property tax rolls are delivered to the county treasurer by the county auditor, as required by law, the county treasurer shall compute the tax due the watershed conservation district from each landowner in accordance with the rate fixed by the directors and the value of the real property indicated on the tax roll. The computation shall be made on the regular tax bills.

SECTION 15. Collection of taxes.—(1) The county treasurer shall collect the taxes due the watershed conservation district at the same time and in the same manner as he collects other taxes of the county.

(2) The taxes shall be subject to the same due and delinquency dates, discounts, penalties and interest as are applied to the collection of county taxes.

SECTION 16. Expenditures.—Tax funds collected shall be transferred to and held by the treasurer of the watershed conservation district for the specific purpose for which they have been collected. All expenditures of such funds shall be made by the directors of the watershed conservation district with the approval of the supervisors of the soil conservation district.

SECTION 17. Petition to have lands detached.—The owners of lands which have not been, are not and cannot be benefited by their inclusion in the watershed conservation district may petition the supervisors of the soil coservation district to have such lands detached. The petition shall describe such lands and state the reasons why they should be detached. A hearing shall be held by the supervisors within thirty days after the petition is filed and due notice of such hearing shall be given by the supervisors. If it is determined by the supervisors that such lands shall be detached, such determination shall be certified to the Auditor of Spartanburg County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee.

SECTION 18. Petition for discontinuance of district—hearing—referendum—discontinuance if election and determination favorable.—(1) At any time after five years after the organization of a watershed conservation district, twenty-five or more landowners within such district, or, if less than fifty landowners are involved, a majority of such landowners, may file a petition with the supervisors of the soil conservation district asking that the existence of the watershed conservation district be discontinued. The petition

shall state the reasons for discontinuance, and that all obligations of the watershed conservation district have been met. The supervisors may conduct such hearings upon the petition as may be necessary to assist them in the consideration thereof.

(2) Within sixty days after petition has been filed with the supervisors they shall give due notice of the holding of a referendum. The supervisors shall hold such referendum substantially as provided for in Section 11 of this act. The question shall be submitted by ballots upon which the words "For terminating the existence of the ..... Watershed Conservation District" and "Against terminating the existence of the ..... Watershed Conservation District" shall be printed, with a square before each proposition and a direction to insert an "X" mark in the square before one or the other of the propositions as the voter may favor or oppose the discontinuance of such watershed conservation district. Only landowners within the watershed conservation district shall be eligible to vote in such referendum. No informality in the conduct of the referendum or in any matters relating thereto shall invalidate the referendum or the results thereof if notice of the referendum shall have been given substantially as herein provided and the referendum shall have been fairly conducted.

(3) The supervisors shall publish the results of the referendum and shall thereafter determine whether the continued operation of the watershed conservation district is administratively practicable and feasible. If the supervisors determine that the continued operation of the watershed conservation district is administratively practicable and feasible, they shall record such determination and deny the petition. If the supervisors determine that the continued operation of the watershed conservation district is not administratively practicable and feasible, they shall record such determination and shall certify such determination to the directors of the watershed conservation district; *provided,* however, that the supervisors shall not be authorized to determine that the continued operation of the watershed conservation district is administratively practicable and feasible unless at least a majority of the votes cast in the referendum shall have been cast in favor of the continuance of the watershed conservation district.

(4) Upon receipt from the supervisors of a certification that they have determined that the continued operation of the watershed conservation district is not administratively practicable and feasible, the directors shall forthwith proceed to terminate the affairs of the watershed conservation district. A copy of the determination shall be certi-

fied to the Auditor of Spartanburg County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee.

SECTION 19. Supervisory authority if district discontinued.—If the Spartanburg Soil Conservation District is discontinued, all supervisory authority over the affairs of the watershed conservation district which was previously exercised by the supervisors shall thereafter be exercised by the governing body of Spartanburg County.

SECTION 20. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 27th day of May, 1965.

(R654, H1656) **No. 709**

An Act Relating To The Fiscal Affairs Of Spartanburg County, Making Appropriations Therefor, And Levying Taxes For The Fiscal Year Ending June 30, 1966.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. A tax levy of thirty-one mills is hereby levied on all taxable property in Spartanburg County for county and school purposes for the fiscal year beginning July 1, 1965, and ending June 30, 1966, for the amounts and purposes hereinafter mentioned and set forth herein:

ITEM 1. ADMINISTRATIVE DEPARTMENT

(A) 1. Auditor's Office

Salary, Auditor	$ 3,812.55
The annual salary of the County Auditor shall be paid from the State and County funds and shall not exceed $7,852.55, and the appropriation for County Auditor shall be adjusted accordingly.	
Travel and Official Expenses, Auditor	743.00
Chief Clerk (A)	4,575.38
Senior Clerk (C)	3,502.68
Senior Clerk (C)	3,373.41

Senior Clerk (C)	3,373.41
Recording Clerk (D)	3,076.91
Recording Clerk (F)	2,503.78
Map Book Clerk (one-half salary) (D)	1,932.14

The clerk who maintains the property map installed in the office of County Auditor shall also verify all automobile registrations. The payment of such clerk is contingent upon the City of Spartanburg paying an equal amount.

2. Board of Assessors and Equalization:

Outside City	2,000.00
Travel	650.00

The Board of Assessors and Equalization for outside the city shall be paid $12.50 each per day and eight cents per mile one trip.

Provided, that of the $2,000.00 above appropriated the County Auditor may expend the sum of $600.00 for clerical help for the Board of Assessors.

Spartanburg City	2,579.85

The salaries for the Board of Assessors and Equalization for Spartanburg City shall be prorated on the basis of three-fifths to be paid by Spartanburg County and two-fifths by the City of Spartanburg.

Extra Clerical Help	3,622.50

Extra clerical help to be expended in accordance with county personnel and salary policies.

Automobile Registration Cards	300.00
Total, Sections (A) 1, and (A) 2	36,045.61

(B) Treasurer's Office

Salary, Treasurer	3,812.55

The annual salary of the County Treasurer to be paid from State and County funds shall not exceed $7,852.55 and the appropriation for County Treasurer shall be adjusted accordingly. Profit from the sale of Revenue Stamps shall accrue to the County Treasurer.

Assistant Treasurer (A)	4,875.38

Receiving-Paying Teller (B+)	4,875.38
Receiving-Paying Teller (B+)	4,875.38
Receiving-Paying Teller (B)	4,189.50
Receiving-Paying Teller (B)	4,042.21
Senior Clerk (C)	3,373.41
Senior Clerk (C)	3,373.41
Outside Tax Collector No. 1	4,875.38
Outside Tax Collector No. 2	4,000.00
Travel and Official Expense, Treasurer	600.00
Bank Charges	100.00
Extra Help	1,500.00
Travel—Outside Tax Collectors Travel to be paid for at the rate of eight cents per mile upon duly itemized and sworn statements.	
Total, Section (B)	44,492.60
(C) Clerk of Court's Office	
Salary, Clerk of Court	7,852.55
Deputy (A)	4,875.38
Chief Clerk (B)	4,189.50
Senior Clerk (B)	4,189.50
Clerk-Stenographer (D)	3,194.82
Total, Section (C)	24,301.75
(D) Office of Register Mesne Conveyance	
Salary, Register Mesne Conveyance	7,852.55
Deputy Clerk (A)	4,875.38
Senior Clerk (C)	3,631.64
First Clerk (E)	2,731.38
Index Clerk (E)	2,622.54
Photo Copy Machine Operator (D)	3,313.01
Microfilm Operator (D)	3,313.01
Recording Clerk (D)	3,076.91
Recording Clerk (E)	2,731.38
Recording Clerk (D)	2,959.01
Recording Clerk (E)	2,622.54
Total, Section (D)	39,729.35
All fees collected by the Register of Mesne Conveyance for making copies of all certifications shall accrue to that office.	

(E) Office of County Board	
County Board Members	1,984.50
Clerk and Secretary, County Board	7,852.55
Travel, Clerk and Secretary	1,029.00
Assistant Clerk (A)	4,875.38
Chief Clerk (B)	4,189.50
Clerk-Stenographer (F)	2,404.01
County Board Contingent	2,500.00
County Attorney	3,150.00
County Physician	1,836.11
The appropriation for the County Physician for medical work at the County Jail and Farm includes V. D. treatment of county prisoners at County Jail.	
Examination of the mentally ill	3,900.00
Provided, no physician shall be paid in excess of ten dollars for any one examination.	
Insurance—County-owned cars	250.00
Operation and upkeep—County-owned cars	9,000.00
Workmen's Compensation Insurance	7,000.00
Stationery and supplies for all County offices	38,000.00
Bonds of Officers and County officials	1,650.00
Office Equipment	4,000.00
RMC, incidentals and convention expense	700.00
Telephone service	13,000.00
PBX Operator (C)	3,502.68
PBX Operator (D)	2,841.09
Salaries—Voting Machine Service	1,050.00
Voting Machines—Maintenance and transportation	600.00
Provided, the salary for voting machine employees shall be paid annually and that the County Board shall collect for the servicing and the use of machines for municipal elections held in Spartanburg County and that the same shall be placed in the general fund of Spartanburg County.	
Total, Section (E)	115,314.82

(F) Superintendent of Education	
Salary, Superintendent of Education ..... The total amount of salary for the Superintendent of Education from any State or County source shall not exceed $7,852.55, and the above appropriation shall be adjusted accordingly.	2,802.55
Travel, Superintendent of Education ..... The travel allowance for the Superintendent of Education is for travel within the County. Expenses for travel outside the County shall be approved by the County Board of Education.	915.00
Assistant Superintendent of Finance and Purchasing	5,512.50
Travel, Assistant Superintendent of Finance and Purchasing	572.00
Chief Clerk (A)	4,575.38
Clerk (B)	4,189.50
Clerk-Stenographer (D)	3,194.82
Clerk-Typist (part time) (D)	1,656.50
Visiting Teacher—Chief	1,448.00
Travel—Visiting Teacher—Chief	800.00
Visiting Teacher	4,200.00
Travel—Visiting Teacher	600.00
Adult Education	10,000.00
Total, Section (F)	40,466.25
(G) Office of Special Auditor	
Salary, Special Auditor	7,852.55
Assistant Special Auditor (A)	4,875.38
Chief Clerk—Vital Statistics (B)	4,189.50
Senior Clerk (C)	3,502.68
Verification, Highway Fines	200.00
Vital Statistics	100.00
Total, Section (G)	20,720.11
(H) Block Map Office	
Director	5,250.00
Draftsman	4,092.48
Clerk-Typist (D)	3,076.91

Equipment and Supplies	1,670.00
Travel Expenses	1,200.00
Provided, such purchases are made under the direction of the County Board of Spartanburg County.	
Total, Section (H)	15,289.39
TOTAL, ITEM 1	$336,359.88

ITEM 2. JUDICIAL DEPARTMENT

(A) Court of Common Pleas and General Sessions, Seventh Judicial Circuit

Jurors, witnesses and bailiffs	$ 30,000.00
Stenographer for Circuit Solicitor	630.00
Assistant Solicitor	4,650.00
Court Bailiff—Circuit and County Courts	2,756.25
Transcripts and Inquests	1,500.00
Circuit Court Stenographer	279.99
Printing Bar Roster	800.00
Law Library Services	1,400.00
Subscriptions, Publications and Equipment	3,000.00
Provided, that the Spartanburg County Bar Association pay the sum of $600.00 to the support of the Spartanburg County Law Library.	
Total, Section (A)	45,016.24

(B) County Court

Jurors, witnesses and bailiffs	22,500.00
Salary, Judge	11,130.00
Salary, Solicitor	5,457.38
Stenographer for Solicitor	661.50
Court Stenographer	4,410.00
The County Court Stenographer is authorized to charge the same rate for transcripts as the Circuit Court Stenographer charges and such revenue shall accrue to the County Court Stenographer.	
Total, Section (B)	44,158.88

(C) Juvenile Domestic Relations Court	
Judge	9,250.00
Chief Probation Officer	5,788.13
Travel	1,200.00
Assistant Probation Officer	5,085.94
Travel	1,200.00
Assistant Probation Officer	4,725.00
Travel	1,200.00
Assistant Probation Officer	4,725.00
Travel	1,200.00
Court Reporter	4,410.00
Clerk "B"	4,042.21
Clerk "D"	2,841.09
Constable	4,725.31
Travel	1,800.00
Court Expense	4,600.00
Family Counselor	5,800.00
Intake Officer	5,800.00
Total, Section (C)	68,392.68
(D) Civil Courts of Spartanburg	
Salary, Judge of Civil Court	6,791.40
Salary, Judge of Civil Court	6,791.40
Salary, Clerk-Stenographer (C)	3,631.64
Clerk-Stenographer (C)	3,631.64
Clerk-Stenographer (D)	2,841.09
Clerk-Stenographer (C)	3,502.68
Clerk-Stenographer (C)	3,502.68
Jurors for Civil Courts	600.00
Provided, each juror is paid $3.00 per day. *Provided,* that one of the above Clerks listed under the heading of "Civil Courts of Spartanburg" shall work every other week in the office of each of the Civil Judges.	
Total, Section (D)	31,292.53
(E) Judge of Probate's Office	
Salary, Judge of Probate	7,852.55
Assistant to Judge of Probate (A)	4,875.38
Chief Clerk (B)	4,189.50

Senior Clerk (C)	3,502.68
Recording Clerk (D)	3,076.91
Recording Clerk (D)	3,076.91
When the Probate Judge directs a lunacy case or cases to be carried to the State Hospital or similar institution in the State, it shall be the duty of the Sheriff to convey such prisoners in a county-owned car.	
Total, Section (E)	26,573.93
(F) Master's Office	
Salary, Master	7,852.55
Assistant to Master (A)	4,875.38
Clerk-Stenographer (C)	2,985.57
Clerk-Stenographer (C)	3,114.85
Total, Section (F)	18,828.35
TOTAL, ITEM 2	$234,262.61
ITEM 3. LAW ENFORCEMENT DEPARTMENT	
(A) Sheriff's Office	
Salary, Sheriff	$ 10,500.00
Travel and Official Expenses of Sheriff	2,200.00
Salary, Deputy Sheriff	5,449.66
Travel and Expenses, Deputy Sheriff	1,800.00
Assistant Deputy Sheriff	5,079.22
Travel and Expenses, Assistant Deputy Sheriff	1,800.00
Chief Clerk (B)	4,042.21
Identification Work, etc.	1,500.00
For special work, identification and sundry expenses payable on demand of Sheriff.	
Rural Police:	
1 Chief	5,449.66
Travel, Chief of Rural Police	1,800.00
1 Lieutenant	5,079.22
1 Lieutenant	5,079.22
6 Rural Police at $4,725.31	28,351.86
18 Rural Police at $4,249.03	76,482.54
17 Travels at $2,688.00	45,696.00

Detectives:	
1 Captain	5,374.69
Travel and expense for Captain	1,800.00
3 Detectives at $4,977.79	14,933.37
1 Record Clerk	4,859.82
Bookkeeper and Cashier	4,725.32
Radio Operators:	
2 at $4,725.31	9,450.62
Clothing allowances for thirty-three Rural Policemen	8,695.00
Provided, not in excess of $235.00 shall be allocated to any one policeman in any one year.	
Clothing allowance for seven plain-clothesmen	1,560.00
Provided, not in excess of $200.00 shall be allocated for any plain clothes officer during the year.	
Expenses for training police officers	1,000.00
Those serving as detectives, deputy sheriff and other plain clothes officers shall not receive in excess of one hundred sixty dollars each for clothes allowance. Such uniforms and clothes shall be paid for by the County Board upon receipt of an order approved by the Sheriff. All such uniforms, clothes, equipment, and supplies furnished by the Sheriff's office to the rural policemen, jailors, and deputy sheriff shall be returned to the Sheriff's office immediately after such officer shall cease to be employed by the County, upon demand by the Sheriff.	
Repairs—Police Radios	1,200.00
Conveying Prisoners	3,600.00
Provided, there may be paid from the above appropriation meals, lodging, incidental expenses and travel to the extent necessary in the discharge of the duties of the office of Sheriff. *Provided,* further, this appropriation shall be disbursed at the rate of eight cents a mile upon itemized sworn statements filed with the County Board and approved by the	

Sheriff. All appropriations for travel for the office of Sheriff, including all rural policemen and detectives, shall be paid on the basis of eight cents a mile for travel on official business upon duly itemized sworn statements filed with the County Board of Spartanburg County each month. Travel allowance for which payment is to be made for any one month shall not exceed more than 2,800 miles. *Provided,* no mileage payment is allowed if payment is made under any other appropriation contained herein. The County Board is authorized to pay any policeman who uses his own car that portion of the insurance premium which is charged to said officer by reason of the extra hazardous employment clause, such amount to be paid out of the general funds of Spartanburg County upon duly approved claims. *Provided,* Spartanburg County is limited to paying only the liability and collision damage insurance.

Arsenal replacement	300.00
Prison clothes	500.00
Dieting of prisoners not confined at the County Jail not to exceed fifty cents per meal subject to approval of payment by Sheriff	500.00
Engineer and Maintenance for City-County Police Radio	6,565.50

Provided, the County pays $6,565.50 and the City pays $6,565.50 for the City-County Police Radio. *Provided,* further, the above appropriation shall be expended according to the budget submitted by the City of Spartanburg not to exceed a total amount of $13,131.00 for County and City. *Provided,* the operation of the City-County Radio and the Radio Engineer of the City-County Radio system shall be under and subject to the administrative control of the Sheriff of Spartanburg County insofar as County affairs are concerned. *Pro-*

vided, further, the County Board of Spartanburg County is hereby directed to pay no claim from this appropriation until same is itemized and approved by the Sheriff.

Constables:

Constables at Mills, 4 at $1,031.62	4,126.48

Provided, such Constables are deputized by the Sheriff of Spartanburg County.

Additional Law Enforcement Officers, 2 at $1,031.62	2,063.24

Provided, that they shall be appointed by a majority of the delegation.

4 Constables at Jackson Mill, Startex, Pacolet and Arcadia, $1,031.62 each	4,126.48
Total, Section (A)	275,690.11

The Sheriff's Office shall collect, by checks payable to the Spartanburg County Treasurer, a fee of one dollar for each inquiry concerning the record or reputation of a person in regard to violation of the laws of the United States and of this State relating to liquor.

(B) County Jail

Jailors:

One Lieutenant	5,079.22
Three Jailors at $4,725.31	14,175.93
Dieting Prisoners and Expenses	15,000.00

The Sheriff shall file with the County Board on the first day of each calendar month duly itemized and sworn to a statement giving the name of each prisoner each day.

The County Board of Spartanburg County is hereby directed to formulate plans for the operation of the County Jail pertaining to the purchasing of all food and supplies and the payment of bills. Such expenditures shall be paid out of the above appropriation for dieting and expenses.

Provided, the Sheriff is authorized and directed to manage and control the County Jail.

Provided, further, the Sheriff shall have custody and control of all prisoners in the County Jail.	
Medicine, County Jail	600.00
Decals	100.00
Total, Section (B)	34,955.15
(C) Coroner's Office	
Salary, Coroner	5,000.00
Travel	1,143.00
Coroner's Jury	1,500.00
Burial of Paupers	500.00
No pauper's coffin shall exceed twenty dollars.	
Post Mortems	1,500.00
No physician shall be paid in excess of fifteen dollars for an autopsy or five dollars for a post mortem.	
Total, Section (C)	9,643.00
(D) Magistrates and Constables	
Thirteen Magistrates at $1,260.00 each	16,380.00
Expense, $300.00 each	3,900.00
Thirteen Constables for the County Magistrates at $630.00 each per year	8,190.00

Each Magistrate in Spartanburg County shall have authority to appoint one constable for each magisterial district, and each Judge of the Civil Courts of Spartanburg shall have authority to appoint one constable, all such constables to serve at such salaries as may be set in the annual appropriations act for Spartanburg County. In addition to the salaries appropriated in the annual appropriations act for Spartanburg County, the constable for each Magistrate in Spartanburg County and the constable or constables for the Civil Courts of Spartanburg shall receive such fees and costs and mileage as are set forth in Sections 43-1017 and 43-1018 of the 1962 Code. The County Board of Spartanburg County is

authorized and directed to investigate the adequacy of the office space now used or to be used by the Magistrates of Spartanburg County. In such cases as the County Board deems necessary to rent an office for a Magistrate in order that he may more efficiently discharge his duties, the County Board may pay not in excess of $35.00 per month rent from the general funds of the County. This rent is to be paid to the owner of the property by County warrant and such payment is not to accrue to such Magistrate.
Provided, there is hereby appropriated for clerical work the sum of $75.00 per month for the Magistrate at Greer.

Total, Section (D)	28,470.00
(E) Parole-Probation	
Senior Clerk (B)	4,189.50
Provided, this appropriation for parole-probation clerk shall be reduced to the extent of any revenue from the State or any other source applicable to this work.	
Total, Section (E)	4,189.50
TOTAL, ITEM 3	$352,947.76

ITEM 4. ROADS AND BRIDGES

Total appropriations for the item are as follows:

Salaries:	
Supervisor	$ 7,852.55
Clerk	4,253.45
1 Diesel Mechanic	4,935.00
2 Truck Mechanics at $4,437.82	8,875.64
1 Electric Welder	5,280.45
Tire and Yard Man	4,156.95
1 Warehouseman	3,412.50
1 Bridge Foreman	5,280.45
1 Asst. Bridge Foreman	3,819.90

5 Camp Foremen at $4,494.00	22,470.00
10 Truck Drivers at $3,707.55	37,075.50
1 Crane Operator at $4,494.00	4,494.00
13 Machine Operators at $3,819.90	49,658.70
25 Guards at $3,033.45	75,836.25
1 Supt. Surf Department	5,280.45
5 Night Guards at $2,921.10	14,605.50
5 Extra Week End Guards at $701.06	3,505.30
Total, Salaries	260,792.59
Dieting Prisoners:	
Average number of prisoners, 200	30,000.00
Clothing Prisoners:	
Stripes, shoes, socks, underwear, jackets, blankets, mattress covers, sheets, towels	10,000.00
Doctors and Medicine	3,000.00
Provided, the County Health Department is directed to do the dental work of the prisoners of the County Highway Department.	
Supplies:	
Includes tires, tubes, recapping, disinfectants, matches, smoking and chewing tobacco, soap, soap powder, cleaning compound, mops, brooms, signs, sledge hammers, nails, picks, shovels, axes, swing blades, beds and mattresses	42,000.00
Repairs to machinery, equipment, trucks and cars:	
Includes 50 pieces of heavy equipment and machinery, 65 trucks and 3 cars	50,000.00
Gasoline, Motor Oil, Fuel Oil, Diesel Oil and Grease	48,000.00
Office Supplies	825.00
South Carolina Sales Tax:	
Additional sales tax not charged on invoices by out-of-state companies	750.00
Miscellaneous Expense:	
Liability Insurance, License tags, power, water, telephone, expense conveying prisoners, Workmen's Compensation Insurance and freight	18,000.00

Clothing allowance for employees	5,325.00
Provided, no employee shall receive in excess of $75.00 per annum.	
Surface Treatment and/or recapping of roads:	
Stone and Asphalt and labor	200,000.00
Provided, that $50,000.00 shall become available immediately upon the passage of this Act.	
Pipe and Bridge material	40,000.00
Machinery and Equipment:	
10 Dump trucks and bodies	35,000.00
Front End Loader	15,000.00
2 Automobiles	4,000.00
1 Motor Grader	20,000.00
Signs and Paint	1,500.00
	523,400.00
One (1) Mechanic	4,437.82
Installation of gasoline storage tank, pump, and other materials and labor incident to servicing County owned vehicles	1,062.18

Provided, that such mechanic shall repair and service County owned vehicles including the ones operated under the Office of Sheriff. *Provided,* further, this employee shall work under the direction of the County Supervisor. Priority shall be given to the repair of cars operated by the sheriff and the trucks operated under the supervision of the County Board. At such times as repair work is not needed on the foregoing cars and trucks, this employee shall perform such other work as directed by the Supervisor. *Provided,* further, regulations shall be formulated by the County Board so that the time expended and the materials used on each of the foregoing vehicles shall be maintained, and also a record of the amount of gasoline and oil consumed by each vehicle shall be kept. The County Supervisor shall direct this work and the keeping of such records as required and provide for an ac-

curate and continuous service by using any other employees where necessary. Such reports shall be in detail for each vehicle and shall be filed each week with the County Board of Spartanburg County.

The remainder of the county's share of the gasoline tax received from the State, after using so much thereof as shall be necessary to pay interest and principal instalments coming due from the fiscal year 1965-66 on bonds issued or to be issued providing for road surface treatments for the county, shall go into the general funds of Spartanburg County. The road tax shall also go into the general funds of the county. The above appropriation is inclusive of the gas tax and the road tax. The County Board shall have the right and authority and it shall be its duty to allocate, segregate and set apart and use or cause to be used so much of the sum appropriated above as it deems wise for the purpose of grading and preparing highways and expenses incident thereto for surface treatment. The County Board may, by written agreement, use a reasonable amount of any appropriation for Highway Department to match or secure any Federal aid available for highway work but such authority is not construed to affect, in any way, the operations and carrying out of the details provided for under the respective appropriations made for the department; but such authority is given in order that funds or grants may be received as a supplement to the items appropriated for. Any balances unexpended in the accounts of the County Highway Department on June 30, 1965, may be used to purchase stone, asphalt, culverts, and bridge material.

Provided, that with the approval of the Spartanburg County Board of Control ten per

cent of the foregoing appropriations for the Highway Department for supplies and materials may be transferred to any of the other items for supplies, materials, doctors and medicine.

TOTAL, ITEM 4 ..... $789,692.59

ITEM 5. PUBLIC HEALTH AND WELFARE

(A) Charity Hospitalization

1. Spartanburg General Hospital Charity patients $475,000.00

Provided, this appropriation is hereby reduced to the extent of any funds received from the State Income Tax and allocated to Spartanburg County for hospital and charity service. All stenographic and clerical employees of the General Hospital shall be paid at a rate not in excess of equally rated employees in other departments of the county government where salaries are set by the terms of this act. The above appropriations shall include the operating expenses of the Woodruff Hospital as the trustees of the General Hospital shall deem necessary for the proper operation of the Woodruff Hospital. The Woodruff Hospital is hereby authorized and directed to take care of charity patients at the discretion of the trustees of the Spartanburg General Hospital. *Provided,* that the above appropriation for charity patients at the Spartanburg General Hospital and the Woodruff Hospital shall not be disbursed in excess of $22.12 per charity patient per day. Spartanburg County is to pay this amount subject to the approval of the Charity Investigator. *Provided,* further, the County Board of Spartanburg County may adjust the amount to be paid per charity patient per day as they deem necessary from the beginning or any time during the fiscal year, but total payments can-

not exceed the appropriation herein made less the deduction for charity from State Income Taxes which were allocable to Spartanburg County. *Provided,* further, the County Board of Spartanburg County is authorized and empowered to transfer to the Spartanburg General Hospital from the appropriation to the General Hospital a sum not exceeding $19,000.00 to provide for group insurance for hospital employees, provided, a sufficient number of employees avail themselves of this group insurance and pay fifty (50) per cent. of the cost, *provided,* further, not more than $19,000.00 shall be expended for this group insurance.

475,000.00

Spartanburg General Hospital Charity Investigation:

Investigator	6,791.40
Travel for Investigator	1,800.00
Clerk (B)	4,042.21
Clerk (D)	2,841.09
	15,474.70

2. Spartanburg T. B. Hospital 121,108.06
All stenographic and clerical employees shall be paid at a rate not in excess of equally rated employees in other departments of the county government where salaries are set by the terms of this act. Notwithstanding any other provision of this act, the above appropriation may be apportioned monthly as the County Board may direct. Any fees paid by patients in the Spartanburg Tuberculosis Hospital, for medical services of the Director, shall go into the general funds of Spartanburg County effective upon the passage of this act.

121,108.06

3. Repairs and Alterations	3,000.00
	3,000.00
Total, Sections (A) 1, (A) 2, (A) 3	614,582.76
(B) County Health Department	
Salaries and salary adjustments for Federal funds	93,335.00
Travel, incidentals, Milk and Meat Inspection	42,980.00
Dental Health work	14,000.00
Rabies Control Program	5,425.00
Insect and Rodent Control	12,214.00
Auxiliary Health Centers	6,000.00
T. B. Drugs	6,000.00
All duties pertaining to the inspection of meat and milk as set forth in the regulations of the State Board of Health shall be performed by the County Health Department for Spartanbury County including Spartanburg City. *Provided,* the County Board of Health may accept funds from other private or government agencies to employ staff for the purpose of providing additional public health services requested by those agencies.	
Total, Section (B)	179,954.00
(C) Department of Public Welfare	
Travel (12) for Child Welfare Workers at $40.00 each per month	5,760.00
Children's Home for Boarding Home Care, medical, dental, and other basic needs	15,000.00
Special Emergency Fund	13,000.00
Medicine	3,000.00
Supplement County Director at $100.00 per month	1,200.00
Supplement (10) Supervisors at $60.00 each per month	7,200.00
Supplement for Staff Members other than Supervisors (65 at $25.00 each per month)	19,500.00

Social Security and Retirement	2,267.00
Office and Incidental Expenses	500.00
Total, Section (C)	67,427.00

(D) Mountain View Home for the Aged

Maintenance and Improvements and care of aged, indigent and chronically ill 50,000.00

The County Board is hereby authorized to enter into an agreement with any private eleemosynary corporation providing for the leasing of the facilities of the County Home at a nominal rental and to use the remainder of the above appropriation for the care of the aged, indigent and chronically ill of Spartanburg County in connection with such lease agreement.

Total, Section (D) 50,000.00

(E) Mental Health Clinic

Operating expenses, year ending June 30, 1966 (prorated with Cherokee and Union Counties according to use) 23,863.29

Total, Section (E) 23,863.29

(F) County Service Officer

County Service Officer	6,063.75
Travel—Service Officer	1,143.00
Secretary (F)	2,404.01
Office Expenses	300.00

The County Service Officer or his assistant must be a veteran of World War II, and the employees shall observe the same working hours as those that prevail at the County Courthouse. Any unused funds in the appropriation for the fiscal year ending June 30, 1966, shall be credited to Public Buildings Account for equipment and service rendered. If the funds provided by the State are not adequate to pay the above appropriations, the excess shall be paid out of the general county

funds. The County Service Officer shall be paid eight cents a mile for the number of miles traveled on official business upon an itemized sworn statement submitted to the County Board.	
Woodruff Service Officer	500.00
Chesnee Service Officer	500.00
Inman Service Officer	500.00
Total, Section (F)	11,410.76
(G) Speech and Hearing Clinic	10,400.00
Provided, this appropriation is made upon the specific condition that all revenue and contributions to the Clinic for the fiscal year ending June 30, 1966, shall be no less than the total receipts for the fiscal year ending June 30, 1965, exclusive of this appropriation.	
Total, Section (G)	10,400.00
TOTAL, ITEM 5	$957,637.81
ITEM 6. AGRICULTURE, FORESTRY AND RELATED AGENCIES	
(A) County Farm Agent's Office	
County Agent, Salary	$ 1,260.00
Home Demonstration Agent, Salary	300.00
Asssistant County Farm Agents (3) $600.00 each	1,800.00
Associate County Agent, Salary	900.00
Associate Home Demonstration Agent	850.00
County Farm Agents', Stenographer, Salary	720.00
Home Demonstration Agent's Stenographer, Salary	180.00
Clerical Help, Associate Agents	2,300.00
Supplies, County Extension Office	700.00
4-H Club Calf Chain	1,250.00
Boys' and Girls' 4-H Club	700.00
Total, Section (A)	10,960.00

(B) Forestry	
Wardens, 3 at $50.00 a month each	1,800.00
Towerman, 1 at $25.00 a month	300.00
Tractor Driver, 1 at $25.00 a month for eight months	200.00
Ranger, 1 at $50.00 a month	600.00
Forestry and Park needs	500.00
Total, Section (B)	3,400.00
TOTAL, ITEM 6	$ 14,360.00

ITEM 7. PUBLIC BUILDINGS

(A) Department of Maintenance	
Superintendent, Maintenance	$ 4,833.36
Foreman	3,537.82
Foreman	3,537.82
Foreman	3,131.10
Carpenter	3,762.07
Janitor Service	20,000.00
Supplies	4,500.00
Repairs and Miscellaneous Services	4,000.00
Utilities (heat, lights, etc.)	22,000.00
Grounds—upkeep	1,500.00
Total, Section (A)	70,802.17
(B) Insurance	7,250.00
Total, Section (B)	$ 7,250.00
TOTAL, ITEM 7	$ 78,052.17

ITEM 7A. SPARTANBURG MEMORIAL AUDITORIUM

Spartanburg Memorial Auditorium Commission, Maintenance and upkeep	$ 5,000.00
Payment on note of Auditorium for air conditioning	10,000.00

Provided, these sums are appropriated contingent upon the appropriation by the City

of Spartanburg of equal amounts for maintenance and upkeep, and air conditioning notes.

TOTAL, ITEM 7A ..... $ 15,000.00

ITEM 7B. SPARTANBURG COUNTY LIBRARY

Spartanburg County Library $109,000.00

This appropriation is for maintenance and operation of the Spartanburg County Library and the purchase of books.

Provided, the above appropriation is made upon the condition that the County Library Board shall adopt a schedule of salaries based upon efficiency and length of service. Further, this appropriation is in addition to the one mill tax levy as now provided for the Library.

Provided, further, that in the event that Spartanburg County Library becomes a part of a Regional Library such additional qualifying funds may be paid out of the General Funds of the County upon approval of a majority of the delegation, including the Senator.

TOTAL, ITEM 7B $109,000.00

ITEM 8. MISCELLANEOUS APPROPRIATIONS

City of Greer ..... $ 200.00

This appropriation is to be used for Greer Public Library for the benefit of citizens of Spartanburg County.

Y.M.C.A. for Summer Camp 1,500.00

Volunteer Fire Departments 15,500.00

The sum of $500.00 is hereby appropriated to each Volunteer Fire Department in Spartanburg County which is a member of the South Carolina Firemen's Association which is recognized and classified by the Southeastern Underwriters Association.

Operation and maintenance of fire alarm system 3,700.00

New Prospect and North Spartanburg Fire Departments' Radios and Equipment 2,500.00

The above appropriation to be expended upon the direction of the Volunteer Fire Chiefs Association.	
Radio Hi-Ex Foam Truck	585.00
National Guard Units:	
Spartanburg City	750.00
Spartanburg City	750.00
Spartanburg City	750.00
Spartanburg, Medical	750.00
Lyman (1)	750.00
Woodruff	750.00
Inman	750.00
Inman	750.00
Pacolet	750.00
Greer	375.00
The apppropriation for Greer is contingent upon Greenville County paying an equal amount.	
Delegation Transferable Fund	10,000.00
Registration Board	2,940.00
Travel, Registration Board	686.00
Civil Air Patrol, for maintenance and operation of planes and motor equipment	800.00
Spartanburg Planning and Development Board	30,000.00
Provided, all claims are itemized and approved by a majority of said Board including the Chairman. The foregoing amount shall be expended as follows:	
Total Program—Industrial, Economic Development	Annual Cost
Mobilization for Economic Development (Secretarial Assistance, Staff Assistance, Office Supplies and Services, Telephone, etc.) $ 10,200	
Travel 2,400	
Special (Brochures, Special Studies) 2,400	$ 15,000.00

	Planning	
	Initial year's program, to be matched with Federal funds to large degree	10,000.00
	Contingency	
	For special requirements relating to industrial development	5,000.00
	Total	$ 30,000.00
	Spartanburg Auxiliary Police Department	2,000.00
	Civil Defense	8,463.79
	TOTAL, ITEM 8	$ 85,999.79
ITEM 9.	BONDS AND INTEREST	
	Ordinary County Bonds	$317,000.00
	Interest	103,762.50
	Commission	539.31
	TOTAL, ITEM 9	$421,301.81
	Any surplus on hand at the close of the fiscal year or period shall be applied to the payment of the principal or interest on bonds maturing in the current year or any subsequent year, thereby reducing the levy proportionately; but the County Board of Spartanburg County may use such surplus funds to meet the payment of items appropriated for until taxes are available for payment of such items and for replacing of surplus funds allocated for payment of bonds and interest. The above appropriation shall include July 1, 1966 principal and interest payments.	
	Technical Training School Bonds and Interest maturities payable from one mill special levy and not to be included in appropriation totals.	
	Principal $ 32,000.00	
	Interest 17,107.00	
	Commission 89.10	
	$ 49,196.10	
	TOTAL, ITEMS 1-9	$3,394,614.42

SECTION 2. The County Board of Spartanburg County is hereby directed to pay out of the general funds of the county travel expense at the rate of eight cents per mile for miles traveled in the performance of duties of all county boards and commissions which do not receive any compensation for services.

SECTION 3. The County Board of Spartanburg County shall have full authority to make such regulations and contracts for the purchase of calves from the appropriation of calf chains as it deems necessary and proper for promoting the development of better dairy cattle in Spartanburg County.

SECTION 4. The board of assessors and equalization for outside the city shall be paid twelve dollars and fifty cents each per day and eight cents per mile one round trip.

SECTION 5. The appropriations in the annual appropriations act shall cover salaries of officials and shall be in lieu of all fees, costs and other compensations and all fees and costs collected by each of them shall be turned over by them each month to the county treasurer for the benefit of the county as provided by law. All interest earned from funds invested in securities by the county treasurer and all interest on delinquent taxes shall be credited to the general funds of the county by the county treasurer.

SECTION 6. It is hereby directed that all boards of Spartanburg County shall at all times hold open sessions to the public. However, the right is reserved to all boards to have executive sessions similar to the rights reserved to the General Assembly in the State Constitution.

SECTION 7. The balances shown to the credit of the following departments for the fiscal year ending June 30, 1965, are hereby authorized to be carried forward and added to the appropriation or appropriations for the fiscal year 1965-1966, for necessary maintenance and operations: Mountain View Home for the Aged, Public Buildings, T. B. Hospital, General Hospital, County Highway Department Maintenance and Road Improvement, County Health Department, Spartanburg County Library. The appropriation balance for the Block Map System, on June 30, 1965, shall be carried forward for the fiscal year ending June 30, 1966, and shall be expended upon the authorizations of a majority of the legislative delegation, including the Senator, in the majority. The balance on hand on June

30, 1965, of the Planning and Development Commission shall be carried forward to the fiscal year 1965-1966.

The county board shall make such rules and regulations as they deem proper for the operation and maintenance of the voting machines of Spartanburg County and shall regulate the payment of the appropriations made therefor in such manner as they consider adequate and any unexpended balances or accruals may be carried forward at the end of the fiscal year. The balance on hand on June 30, 1965, of the Juvenile, Domestic Relations Court shall be carried forward in the Court Expense Fund to the fiscal year 1965-1966.

SECTION 8. The County Board of Spartanburg County is hereby authorized to have an audit made of the affairs and doings of the offices, departments and officials of Spartanburg County by a certified public accountant for the fiscal year ending June 30, 1966. The board is authorized to invite bids from qualified certified public accountants for the work to be performed and to accept or reject any and all bids. *Provided,* however, final acceptance of a bid shall be subject to the approval of a majority of the county delegation given at a duly and regularly called meeting thereof.

The person or firm making the audit shall, in addition to the audit itself, be required to make a report of its findings, conclusions and recommendations to the county board with respect to improvement of accounting practices in various offices and departments of the county. The County Board of Spartanburg County is authorized to investigate and make recommendations to the county delegation concerning any deficiencies in any department of Spartanburg County.

SECTION 9. For the court of general sessions and county criminal court there shall be not more than three bailiffs, who shall receive not in excess of ten dollars each per day. For the court of common pleas and county civil court there shall be not more than two bailiffs, who shall receive not in excess of ten dollars per day. Jurors for the circuit court and the county court shall receive a per diem of ten dollars each per day in addition to the mileage as now provided by law. There shall be appointed by the resident circuit judge a court crier who shall act also as a bailiff at all terms of court. Jurors of the coroner's jury and magistrates of the county shall receive three dollars each per day.

SECTION 10. All expenditures for the operation of the Spartanburg County Technical Training Center shall be on approval of a majority of the legislative delegation, including the Senator.

SECTION 11. Any contracts or agreements for the expenditure of funds in this appropriation act for the operation of the joint city-county radio station shall not obligate Spartanburg County unless previously approved by the Spartanburg County Delegation.

SECTION 12. Expenditures from the Delegation Transferable Fund and authorizations by the delegation shall be made upon approval of a majority of the delegation, including the Senator, at a duly and regularly called meeting and upon written certification thereof by the secretary to the county board of control.

SECTION 13. The County Board of Spartanburg County shall make provision for Workmen's Compensation coverage of all employees of Spartanburg County to which it may be applicable. The following departments of Spartanburg County shall keep separate records for Workmen's Compensation Insurance and pay the premiums therefor from their own budgets:

Spartanburg General Hospital, including Woodruff Hospital
County Highway Department
Spartanburg Tuberculosis Hospital
County Health Department
The County Board of Spartanburg County
Spartanburg County Library

The County Board of Spartanburg County shall make such payments as necessary for police retirement under the South Carolina Retirement System and shall also pay employer's portion of social security and retirement for employees of the county health department.

SECTION 14. The County Board of Spartanburg County shall disburse all appropriations provided herein for travel for all county employees on sworn itemized statements of the employee that the travel was performed in carrying out the duties of his or her job and on actual business of the county, at the rate of eight cents per mile. The board is authorized to prescribe such further rules and forms as will carry out the purposes of this section. *Provided,* the amount paid out by the county board shall not exceed the amount provided by the terms of this act.

SECTION 15. The Bureau of Vital Statistics is hereby authorized to make a search of records and furnish a statement of age or other data without charge. This does not apply to the usual fee for the

certification of any record. The special auditor is required to audit only the records of the General Hospital kept by the county.

For persons born in Spartanburg County since January 1, 1915, certificates of birth are to be issued on a similar basis as the State Board of Health issues certificates. For persons born prior to January 1, 1915, only persons born in Spartanburg County may register their birth with the Vital Statistics Department, and in addition to the items listed in the 1962 Code, documentary proof of age and place of birth must be submitted and such evidence must be over five years old. The above provisions are in addition to the regulations now effective.

SECTION 16. The County Board of Spartanburg County is authorized and directed to administer and regulate salaries and wages of employees and clerical help provided for in this act in accordance with the salary schedule classification and policies as set forth in the survey adopted for Spartanburg County. Salary adjustments in accordance with salary schedule are to become effective from the date of employment and any increase shall be paid out of the general funds of the county. All employees provided for in Items 1 and 2 of Section 1 who have been continuously employed by the county for fifteen or more years and are classified as either "A" or "B+" shall receive an additional three hundred dollars per year as salary over and above that established by the classification schedule.

This additional amount has been included in the appropriations set forth in Items 1 and 2 of Section 1.

SECTION 16A. As soon as practicable after the end of the fiscal year 1964-65, the county board shall determine the amount by which the county's total revenues or receipts from all sources exceeded the sum of (a) actual expenditures for normal maintenance and operation of the county government for the fiscal year 1964-1965, (b) unexpended balance of any continuing appropriations outstanding at the end of the fiscal year 1964-1965, and (c) whatever amount is found necessary to bring the reserve fund to three hundred thousand dollars.

These excess revenues so determined shall be placed by the county treasurer in a special account to be known as the "Capital Improvement Account" and disbursements for capital improvements may be authorized and directed by a majority of the County Legislative Delegation, including the Senator. *Provided,* the funds may be expended for appropriations made by this act if cash is unavailable.

SECTION 16B. The County Board of Spartanburg County is hereby authorized to pay any interest on county and school expense notes out of the general funds of Spartanburg County; also, any expense of issuing bonds.

The County Board of Spartanburg County is hereby authorized and directed to formulate plans and make such recommendations to the legislative delegation as they deem proper and adequate to set up a proper system to operate a tax reassessment program for Spartanburg County. Such regulations shall include in scope the most efficient manner to effect the reassessment of the property of Spartanburg County and the maintenance of such system. The necessary expenditures for same are to be paid out of the general funds of Spartanburg County as approved by the legislative delegation.

SECTION 17. In all instances wherein a federal agency occupies space in any public building owned by Spartanburg County, and all of its administrative or operating costs may be paid by the federal government or any department thereof, the County Board of Spartanburg County shall charge and collect the sum of $0.835 per annum for each square foot of space occupied by such agency, the same to be applied to the maintenance and utility costs of such public building. Further, in all instances wherein a state, area, district or county association, committee, board or organization may receive, either directly or indirectly, all of its administrative or operating costs from the federal government or any department thereof, the County Board of Spartanburg County shall charge and collect the sum of $0.835 per annum for each square foot of space the agency, association, committee, board or organization occupies in the public building. The above-stated amount shall be charged and collected if the entire administrative or operating costs of the agency, association, committee, board or organization may be ultimately borne by the federal government or any department thereof, and without regard to who actually administers the federal funds at any stage. The above charges and collections shall be collected either monthly or quarterly. *Provided,* the county board is authorized to provide rules and regulations governing the occupancy of the new courthouse and the use of the county courthouse parking lots.

SECTION 18. Each and every official and employee of Spartanburg County is prohibited from receiving any compensation or reimbursement whatsoever from any individual, person, firm or corporation in addition to the amounts appropriated or provided for in this act.

The County Board of Spartanburg County, subject to the same limitations as are imposed upon the purposes for which taxes may be levied or bonds issued by Article X, Section 6 of the Constitution, is authorized and directed to make any contracts deemed necessary and advisable for the furnishing of services, information, use of equipment, labor of officials and employees and materials to such persons or agencies as may be determined from time to time by the county board. The charges for such shall not be less than the actual costs to the county for services, time involved, materials and use of equipment as may be determined by the county board. *Provided,* however, the county board shall not contract to furnish any service that was not being furnished on the effective date of this act without prior approval of the majority of the county legislative delegation. Each and every county official and employee is hereby authorized and directed to comply with and perform any such contracts and agreements as may be entered into by the county board from time to time.

This provision shall apply when any county records or information and the time of any official or employee is used or furnished.

All revenue from all work, materials, and use of equipment authorized by the county board shall be remitted to the county treasurer and credited by the county treasurer to the General Fund of Spartanburg County.

SECTION 19. The county board shall not employ any expert or contract to pay for any study or survey without approval by a majority of the county legislative delegation.

SECTION 20. The county board of control is hereby authorized and directed to execute and deliver a deed or deeds under such terms and conditions as the legislative delegation may approve in writing, to all of that real estate now occupied and used by the Spartanburg County Freezer Locker Plant and/or the Spartanburg Curb Market, which properties are located on the Asheville Highway and Kennedy Street, respectively. The funds so received shall be placed in the general fund with the county farm land money. The funds now on hand in this act shall also be credited to the general funds of the county.

SECTION 21. The County Board of Spartanburg County is hereby authorized and empowered to provide for group insurance for County employees as set forth in the prospectus submitted to the Legislative Delegation and on file in the Office of the County Board, *provided,* a sufficient number of employees avail themselves of this

group insurance and pay fifty (50) per cent. of the cost. *Provided,* further, not in excess of $11,000.00 is to be expended of General Funds of the County to pay the pro rata share of the County.

SECTION 22. There is hereby appropriated out of the Surplus funds as shown by the records of the County Account on June 30, 1965, a total of $100,000.00 or so much as is necessary for the purpose of building and constructing a County freezer locker plant or other facilities. *Provided,* any contracts for the construction of this project shall be let by the County Board. *Provided,* further, any use or disposition of the present property, or additions, or buildings to be erected shall be by the approval of the County Board.

SECTION 23. There is hereby appropriated for the fiscal year ending June 30, 1965, the additional salary of $2,340.05 to Mr. Harold Davis for extra duties as Acting Superintendent of Education since July 1, 1964.

SECTION 24. The County Board of Spartanburg County is hereby authorized and directed to transfer from the general funds of Spartanburg County a sum not exceeding $20,000.00, at one time or in installments as necessary, to the Spartanburg County Technical Education Center in order that payrolls may be met from July 1, 1965, to such time as the collections of taxes of the said Center are available for repayment of this advance to the general funds of the County.

SECTION 25. The Director of the Spartanburg Area Civil Defense shall file each month with the County Board of Spartanburg County itemized statements of all expenditures of this Department.

SECTION 26. There shall be filed in the office of the County Board of Spartanburg County eighteen copies of the minutes of each agency and department of Spartanburg County. Copies shall be made available for each member of the legislative delegation at the County Board Office, Spartanburg, South Carolina.

SECTION 27. The term of office of the special auditor is hereby continued until his successor is appointed and qualifies.

SECTION 27A. With the prior approval of the Spartanburg County Board of Control, the county treasurer may waive collection of penalties and interest in the following circumstances:

(a) When payment of taxes has been timely tendered but erroneously declined by the treasurer;

(b) When the taxed property has been properly returned but was erroneously omitted from the auditor's tax digest;

(c) When there has been an increase in the assessed value of the taxed property by the South Carolina Tax Commission after the taxpayer has timely paid his taxes on the original assessment.

Further, the treasurer may accept partial payment of taxes on personal property from former residents of the county who have removed the property from the State.

SECTION 28. Revenue Estimate

State Aid:	
Gasoline Tax	$547,000.00
Less: Road Bonds	181,056.20
	365,943.80
Bank Tax	26,000.00
Insurance License Fees	143,000.00
Beer and Wine Tax	45,000.00
Alcoholic Liquor Tax	171,000.00
Income Tax	227,000.00
	612,000.00
Net State Aid	$977,943.80
Other Sources:	
Miscellaneous	$ 40,000.00
Interest on Invested Money	60,000.00
Fines and Licenses	180,000.00
Fees and Costs	125,000.00
Delinquent Taxes	100,000.00
Cost and Interest, Delinquent Taxes	50,000.00
Total, Other Sources	$555,000.00
Ad Valorem Tax:	
31 mills (72,000,000.00)	$2,120,400.00
Less Abatements	125,000.00
Net Ad Valorem Tax	$1,995,400.00
TOTAL ESTIMATED REVENUES	$3,528,343.80
LESS: Special Acts	85,176.50
	$3,443,167.30

SECTION 29. This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1965.

(R688, H1844) **No. 710**

An Act To Appropriate One Hundred Thousand Dollars For The Construction Of A Building For The Spartanburg County Department Of Health.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. There is hereby appropriated the sum of one hundred thousand dollars from the general funds of Spartanburg County for the construction of a new building for the Spartanburg County Department of Health, this sum to be matched by the Federal Government under the formula provided by the Hill-Burton Act.

SECTION 2. This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R689, H1847) **No. 711**

An Act To Make Supplemental Appropriations For Spartanburg County For The Fiscal Year 1964-1965 From The General Fund Of The County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. There is hereby appropriated from the General Fund of Spartanburg County, as a supplemental appropriation for the fiscal year 1964-1965, the following:

Additional Appropriation for Adult Education	$ 2,500.00
Cherokee Springs Fire District	500.00
Consultant Fee Re: Hospitalizaton Insurance	1,200.00
Matching Funds for Addition to Mental Health Clinic Building	20,000.00
Purchase of racks in Register of Mesne Conveyance Office	2,000.00

Re-working Jury Box		
Capsules	$1,000.00	
Additional Work Registration Board	500.00	$ 1,500.00
Sub-Committee Preliminary Survey		
Freezer Locker Plant		500.00
Block Map Assistance		3,100.00
County Law Library		200.00
Purchase of new car for Law Enforcement Department		2,500.00
Delegation—Postage and Stationery		263.86
Department of Public Welfare		
Salary Supplement, 8 case workers	1,000.30	
Retirement and Social Security	527.78	1,528.08
Operation of Cars		5,000.00
Stationery and Supplies		4,000.00
Telephone Service		4,000.00
Examination of Mentally Ill		800.00
Transcripts and Inquests		500.00
Jurors Civil Courts and Magistrates		150.00
Engineer and Maintenance City-County Police Radios		2,700.00
Medicine		250.00
Dieting Prisoners and Expense		5,000.00
Adjustment of Salaries, Supt., Foreman and Carpenter		87.18
Janitor Service		3,500.00
Grounds and Upkeep		1,000.00
Utilities		2,500.00
Payment on installment Loan		
Sinking Funds and Property Division, Due 5/7/65:		
Principal	$3,600.00	
Interest (on $10,800.00)	432 .00	4,032.00
Court of Common Pleas and General Sessions, Jurors, Witnesses and Bailiffs	2,000.00	
County Court, Jurors, Witnesses and Bailiffs	1,000.00	3,000.00
Total		$ 72,311.12

SECTION 2. This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R690, H1848)

No. 712

An Act To Validate Certain Expenditures And Disbursements Of Spartanburg County And The Actions Of Officials Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Expenditures by Spartanburg County validated.—The following disbursements, expenditures and actions authorized by the Legislative Delegation from Spartanburg County are hereby validated:

Appropriation for one of Lyman National Guard Units which has been dissolved be transferred to National Guard H. H. Attachment Signal Group City of Spartanburg ..... $	750.00
Purchase of Tractor in Supervisor's Department from Repair to Machinery, Equipment, Trucks and Cars Account	4,120.00
Transfer of $6,000.00 from Supervisor's Department for stone and asphalt to County Board Contingent Fund for curbing and sidewalks, etc. for completion of parking lots	6,000.00
$750.00 appropriated under Section 1, Item 2A, of the 1964-65 appropriation act for Subscriptions and Publications for the County Law Library upon payment of $600.00 to the county by the Spartanburg County Bar Association.	
Purchase of monitors for Fire Departments Drayton and Reidville	
Expenditure from Machinery and Repairs by County Supervisor for application to cost of pick-up truck..	211.40
Claims of County Highway Department incurred in fiscal year ending June 30, 1964, but paid out of appropriations the following year.	

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R693, H1895) **No. 713**

An Act To Empower The Spartanburg County Board Of Control To Issue Not Exceedng Two Million Three Hundred Thousand Dollars Of General Obligation Bonds Of Spartanburg County To Provide Further Hospital Facilities In The County; To Prescribe The Conditions Under Which The Bonds Shall Be Issued And To Make Provision For Their Payment.

Whereas, an investigation of the needs of Spartanburg County establishes that further hospital facilities are required; and

Whereas, under the provisions of certain national statutes, particularly the Hill-Burton Act, Spartanburg County is about to establish eligibility for certain federal funds, the exact amount unknown; and

Whereas, the present plans of the hospital trustees call for an expansion project which would require over six million dollars, approximately two-thirds of which would be derived from federal funds if the total project is federally approved and Congress makes the funds available; and

Whereas, in order to obtain the additional hospital facilities and give effect to the expansion project contemplated by the trustees with the use of federal funds, the General Assembly has determined to empower the Spartanburg County Board of Control (herein called county board) to issue in several separate issues not exceeding two million three hundred thousand dollars of general obligation bonds of Spartanburg County, or such portion of said sum as may be permitted under applicable constitutional debt limitations, but to withhold issuance of any separate issue until the amount of federal funds available from time to time may be determined. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Spartanburg County may issue bonds.—The Spartanburg County Board of Control shall be empowered to issue two million three hundred thousand dollars of general obligation bonds of Spartanburg County, or so much thereof as may be needed and may be permitted under constitutional debt limitations applicable to Spartanburg County.

SECTION 2. Issues.—The bonds shall be issued in several separate issues, but the amount of the first and all subsequent issues shall not exceed the amount or amounts irrevocably committed to the Spar-

tanburg County General Hospital Project from time to time under the provisions of the Hill-Burton Act, or any other Federal or State law. The receipt of a letter or letters by the county board from the Administrator, Hospital Construction for the South Carolina Health Officer, (or his successor in office) advising of the earmarking of such funds and the amount thereof, shall be a condition precedent to the issuance of the first and all subsequent issues of such bonds and conclusively establish the amount standing irrevocably committed to the project from time to time under the Hill-Burton Act. The issuance of the first separate issue of the bonds shall preclude repeal of this condition which will thereby govern issuance and amount of all subsequent issues.

SECTION 3. Presumption that conditions met.—If and when the county board issues any of the bonds, it may be conclusively presumed by any purchaser or subsequent holder of any of the bonds that conditions precedent to issuance have been met and that the amount of the first and all subsequent issues does not exceed the amount authorized hereunder for any separate issue.

SECTION 4. Maximum amount — denominations — interest.— The aggregate principal amount of the bonds shall not exceed two million three hundred thousand dollars, and as the bonds are issued from time to time, they shall be in such denominations and shall bear such rate or rates of interest, payable semiannually, as may be determined by the county board. They shall be serial bonds maturing in annual series, or installments, of one or more bonds each, the first of which series, or installments, shall be due and payable not more than one year after the date of the bonds and the last not more than twenty-five years after such date. Such annual series, or installments, may be equal or unequal in amount, but none shall be greater than twice the amount of any previously maturing series, or installment. The principal and interest of the bonds may be made payable within or without the State and in such medium of payment as may be indicated on the face of the bonds.

SECTION 5. Execution.—The bonds shall be issued as coupon bonds, payable to bearer, but may be issued with the privilege to the holder of having them registered as to principal on the books of the county treasurer, and the principal thus made payable to the registered holder, unless the last registered transfer shall be to bearer, upon such conditions as the Spartanburg County Board of Control

may prescribe. The bonds shall be signed by the members of the county board, or a majority thereof, and countersigned by the Clerk of the Spartanburg County Board of Control, and the seal of the Spartanburg County Board of Control shall be affixed to, or impressed on each bond; but the coupons of the bonds need not be authenticated otherwise than by a facsimile signature of the county treasurer.

SECTION 6. Sale.—The bonds shall be sold by the county board to the highest bidder for cash upon such advertisement as the county board shall deem proper. The county board may reject any and all bids which in their judgment would not be to the best interests of the county.

SECTION 7. Exempt from taxes.—The bonds shall be exempt from all State, county, school and municipal taxes.

SECTION 8. Payment.—For the payment of the principal and interest on the bonds, the full faith, credit and taxing power of the county are irrevocably pledged, and the county auditor of Spartanburg County is hereby authorized and directed to levy annually on all taxable property in Spartanburg County a tax sufficient to pay the principal and interest of all bonds issued under this act, as such principal and interest respectively become due, and the county treasurer of Spartanburg County is hereby authorized and directed to collect such tax.

SECTION 9. Proceeds.—The proceeds derived from the sale of the bonds shall be deposited with the treasurer of Spartanburg County in a special fund, separate and distinct from all other funds, and shall be expended for the following purposes: (1) the accrued interest, if any, shall be applied to meet the first installment of principal to become due on the bonds, (2) the premium received, if any, shall be applied to the payment of the first installment of principal to become due, and (3) the principal proceeds shall be expended upon the order or warrant of the Board of Trustees of the Spartanburg County General Hospital for:

(a) the cost of issuing the bonds; and

(b) providing additional public hospital facilities in Spartanburg County and renovating and improving existing public hospital facilities.

If any moneys shall remain after making the foregoing applications, the same shall be applied to the retirement of bonds issued pursuant

to this act. No purchaser or subsequent holder of any of the bonds shall be responsible for the proper application of the proceeds to the purposes for which such bonds are issued.

SECTION 10. Gifts or grants.—Either or both of the County Board or the Board of Trustees of the Spartanburg County Hospital shall be empowered to accept gifts or grants which together with the proceeds of the bonds shall be applied to the purposes for which the bonds are issued.

SECTION 11. Saving clause.—The sections and provisions of this act are separable and not matters of mutual essential inducement, and it is intended to confer the whole or any part of the powers herein provided for; and if any of the sections or provisions or parts thereof are for any reason declared unconstitutional it is intended that the remaining sections and provisions or parts shall remain in full force and effect.

SECTION 12. Final date bonds may be issued.—The power to issue bonds pursuant to the authority granted in this Act shall cease on July 1, 1970.

SECTION 13. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of June, 1965.

(R3, H1007)

No. 714

An Act to Authorize Sumter County to Sell and Convey Certain Property.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Sumter County may sell property.—The Sumter County Board of Commissioners is authorized to sell and convey its one-half interest in the following described property to a nationally known Electric Storage Battery Company for twenty-five thousand, one hundred and five dollars and sixty-three cents:

"All that lot of land containing 401.69 Acres, situate in the County of Sumter, State of South Carolina, being a portion of the land known as Mid-State Industrial Development Area of Sumter, said land being located on the West side of U. S.

Highway No. 15, approximately three (3) miles South of Sumter, South Carolina. The property is cut off the Western portion of a tract of 995 acres of land as delineated on a plat thereof recorded in the Office of the Clerk of Court for Sumter County, S. C. in Plat Book Z-10 at page 106. The 401.69 acres are more particularly described as shown on plat of H. S. Willson, R. L. S. dated December 31, 1964 by metes and bounds as follows: Commencing at an iron stake n. m. at the Southeastern corner of the intersection of the County Road as shown on said plat with the right-of-way of the A. C. L. Railroad leading from Sumter, S. C. to Augusta, Georgia; thence along the East-Southeastern right-of-way boundary of said Railroad North 28° 00′ East for a distance of 4,072.6 feet to an iron stake n. m.; thence South 57° 36′ East for a distance of 2,159.2 feet to an iron stake n. m.; thence South 20° 30′ East for a distance of 1,550 feet to an iron stake n. m.; thence South 20° 36′ East for a distance of 1,789.4 feet to an iron stake n. m.; thence South 72° 00′ West for a distance of 2,036.2 feet to an iron stake o. m.; thence South 49° 10′ West for a distance of 731.0 feet to an iron stake o. m.; thence South 22° 00′ East for a distance of 158.0 feet to an iron stake o. m.; thence South 68° 34′ West for a distance of 1,774.5 feet to an iron stake n. m.; thence on a slight curve as indicated by said plat in a generally northernly direction 230.6 feet to a P. C. Hub; thence North 17° 07′ West for a distance of 2,488.4 feet along the Eastern right-of-way of the County Road first above mentioned to the point of beginning."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of January, 1965.

(R58, H1102)

No. 715

An Act To Authorize The Trustees Of Sumter County School District No. 17, And The County Treasurer Of Sumter County, To Borrow Not Exceeding Two Hundred Eighty-two Thousand Three Hundred Twenty Dollars To Be Used For School Purposes, And To Provide For The Payment Of Such Loan.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. School District 17 of Sumter County may borrow money.—The Board of Trustees of School District No. 17 of Sumter County, and the County Treasurer of Sumter County, are hereby authorized to borrow not exceeding two hundred eighty-two thousand three hundred twenty dollars from the Division of General Services, or any other lending agency at the lowest interest rate available, for the purpose of constructing additional facilities, making additions to existing buildings, or for equipping such facilities for school purposes. The amount borrowed shall be evidenced by notes to be executed by each member of the Board of Trustees of School District No. 17 of Sumter County and by the Treasurer of Sumter County. The notes shall bear interest at not exceeding four per cent per annum from the date thereof, interest to be paid annually, and shall be payable in three equal, annual installments with the right to anticipate payment thereof at any annual interest paying period.

SECTION 2. Payment.—For the payment of the notes the Board of Trustees of School District No. 17 and the County Treasurer of Sumter County shall pledge the annual grant from the State Educational Finance Commission for the repayment of the loan and the interest thereon.

SECTION 3. Payment further.—As additional security for the loan, in the event the annual grant to the school district by the State Educational Finance Commission shall be insufficient to pay the principal and interest on the loan, the Auditor of Sumter County shall levy, and the Treasurer of Sumter County shall collect, an annual tax upon all of the taxable property of School District No. 17 of Sumter County sufficient to retire the loan and the interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the notes, inclusive of interest, in full, at which time the levy provided herein shall be terminated. In the event the school district may receive or have on hand any funds not otherwise pledged nor designated for a particular use, such funds may be used for payment of the loan and interest thereon.

SECTION 4. Payment further.—If the money is borrowed from the Division of General Services and should there be default in the payment of any installment, the State Treasurer is directed to withhold all State funds accruing to the district, which have not hereto-

fore been pledged, for the payment of such installment and shall transmit the funds so withheld to the Division of General Services.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of February, 1965.

(R136, S154) **No. 716**

An Act To Authorize Sumter County To Sell And Convey Certain Property.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Sumter County may sell certain property.—The Sumter County Board of Commissioners is authorized to sell and convey its one-half interest in the following described property to the City of Sumter, or its nominee, for a total consideration of forty-nine thousand, six hundred and six dollars and thirty-eight cents for this interest; and to execute an appropriate deed of conveyance thereto:

"A portion of the Mid-State Industrial Development Area of Sumter containing 566.93 Acres beginning at an iron monument at the Southeast corner of the Retha Mae Cockerill property, said point being a northerly boundary of the Mid-State Industrial Development Area of Sumter; thence running in an easterly direction on a bearing North 68° 55′ East a distance of 1,949.45 feet to an iron monument; thence continuing in an easterly direction on a bearing North 69° 57′ East a distance of 708.7 feet to an iron monument; thence continuing in an easterly direction on a bearing North 69° 21′ East a distance of 709.0 feet; thence in a northerly direction on a bearing North 20° 15′ West a distance of 1,822.5 feet to an iron monument; thence continuing in a northerly direction on a bearing North 21° 16′ West a distance of 952.2 feet to an iron monument; thence in an easterly direction along the property line of Eileen Strauss Rubin on a bearing North 70° 36′ East a distance of 2,218.4 feet to an iron monument; thence in a southerly direction on a bearing South 20° 14′ East a distance of 911.7 feet to an iron monument; thence continuing in a southerly direction on a bear-

ing South 20° 13′ East a distance of 4,079.5 feet to an iron monument located on the right-of-way of U. S. Highway No. 15; thence in a southwesterly direction parallel to the right-of-way line of U. S. Highway No. 15 on a bearing South 37° 54′ West a distance of 2,382.33 feet to an iron, said iron being the PC of a 3° curve; thence continuing in a southwesterly direction along the chord of the aforementioned curve on a bearing South 33° 10′ West a distance of 320.53 feet to an iron monument; thence in a westerly direction along the property lines of Bowen and Rowland on a bearing South 72° 00′ West a distance of 3,262.6 feet to an iron monument; thence in a northerly direction on a bearing North 20° 36′ West a distance of 3,539.4 feet to the point of beginning. This is the property shown on plat of H. S. Willson, R. L. S. dated November 30, 1964 and to be recorded in the Office of the Clerk of Court for Sumter County, S. C., which is a portion of the 995-Acre tract shown on plat of Palmer and Malone, C. E.'s dated October 22, 1951 and recorded in the Office of the Clerk of Court for Sumter County, S. C. in Plat Book Z-10 at page 106."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of March, 1965.

(R645, H1737) **No. 717**

An Act To Provide For A Levy Of Taxes For School And County Purposes For Sumter County For The Fiscal Year Commencing July 1, 1965; To Direct The Expenditure Thereof; To Fix The Salaries Of Certain Officers; And For Other County Purposes.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The Auditor of Sumter County is hereby authorized to levy on all taxable property in the County of Sumter so much as may be necessary, but not in excess of fifteen mills, for general county purposes.

Item 1. Roads and Bridges:

A-70 General Fund—Roads and Bridges $100,000.00

A-72	Salary—County Engineer	10,500.00
A-73	Salary—Road Superintendent	7,875.00
A-75	Salary—Yard Superintendent	4,200.00
A-80	Salaries—Gang guards and employees	62,500.00
A-81	Salaries—Extra help	1,000.00
A-85	Purchase Machinery and Equipment	20,000.00
A-90	Gang Buildings—Repairs and Upkeep	1,000.00
	Total, Item 1—Roads and Bridges	$207,075.00
Item 2.	Public Buildings:	
A-101	Repairs and Maintenance of Buildings	$ 3,500.00
A-101A	Expense—Maintenance Truck	250.00
A-102	Purchase Furniture, Fixtures, Etc.	5,000.00
A-103	Repairs and Maintenance—Furniture and Fixtures	2,000.00
A-104	Insurance—Storm, Fire, Explosion	5,000.00
A-105	Heat, Water, Lights, Sanitary Supplies	15,000.00
A-106	Salary—Maintenance Supervisor	4,380.00
A-108	Salary—Telephone Exch. Clk. II	2,905.50
A-109	Special Janitor Services	100.00
A-110	Care of Public Grounds	1,000.00
	Total, Item 2—Public Buildings	$ 39,135.50
Item 3.	Court Costs:	
A-120	Jury Pay and Court Expense	$ 9,000.00
A-121	Court Stenographer Supplies	240.00
	Total, Court Costs	$ 9,240.00
	Clerk of Court:	
A-125	Salary—Clerk of Court	$ 8,820.00
A-126	Salary—Deputy Clerk of Court	5,137.77
A-127	Salary—Clerk I—Clerk of Court	3,174.00
A-128	Clerk II—Clerk of Court	2,976.00
A-129	Clerk II—Clerk of Court	2,583.00
	Total, Clerk of Court	$ 22,690.77
	Coroner:	
A-140	Salary—Coroner	$ 3,600.00
	Expense—Coroner	1,200.00
A-145	Coroner's Juries, Inquests, etc.	1,000.00
	Total, Coroner	$ 5,800.00

	Magistrates:	
A-150	Salary—Magistrate 3rd District	$ 3,850.00
A-151	Salary—Clerk I to Magistrate	3,438.00
A-155	Salary—Other 7 Magistrates	10,920.00
	Total, Magistrates	$ 18,208.00
	Master:	
A-160	Office rent—Master	$ 240.00
	Total, Master	$ 240.00
	Probate Judge:	
A-164	Salary—Judge of Probate	$ 6,615.00
A-165	Salary—Deputy—Judge of Probate	2,981.50
	Total, Judge of Probate	$ 9,596.50
	Lunacy Examinations:	
A-175	Mental Health and Lunacy Examinations	$ 2,500.00
	Total, Lunacy Examinations	$ 2,500.00
	Civil and Domestic Relations Court:	
A-180	Salary—Judge, Civil and Domestic Relations Court	$ 10,500.00
A-182	Salary—Probation Counsellor	5,420.00
A-183	Mileage—Probation Counsellor	900.00
A-186	Salary—Clerk I—Domestic Relations Court	3,438.00
A-187	Salary—Clerk II—Domestic Relations Court	2,976.00
A-191	Court Expense—Civil and Domestic Relations Court	5,500.00
	Total, Civil and Domestic Relations Court	$ 28,734.00
	Jail:	
A-200	Jail—Food Only	$ 4,000.00
A-200A	Jail—Expense other than food	6,000.00
A-201	Salary—Jailer	3,339.00
A-203	Salary—Two Assistant Jailers	4,800.00
	Total, Jail	$ 18,139.00
	Total, Item 3—Court Expense	$115,148.27

Item 4.	Poor and Needy:	
	Emergency Relief:	
A-210	Relief—General and Emergency	$ 250.00
A-211	Charity Coffins	1,000.00
A-212	Child Health and Welfare	1,200.00
	Total, Emergency Relief	$ 2,450.00
	Department of Public Welfare:	
A-220	Department of Public Welfare	$ 600.00
A-222	Travel—Child Welfare Worker	750.00
	Total, Department of Public Welfare	$ 1,350.00
	Hospitalization:	
A-225	Hospitalization—Tuomey Hospital only	$ 35,000.00
A-226	Certification by Dept. of Public Welfare	2,000.00
A-228	Outpatients—Other Hospitals and Homes	3,500.00
	Total, Hospitalization	$ 40,500.00
	Nursing Center:	
A-241	Recreation and Nursing Center	$ 240.00
	Total, Nursing Center	$ 240.00
	Charity School Clothing:	
A-244	Clothing, Needy School Children	$ 2,000.00
	Total, Charity School Clothing	$ 2,000.00
	Health Department:	
A-247	County Health Department	$ 31,500.00
A-248	Pharmaceuticals	100.00
	Total, Health Department	$ 31,600.00
	County Service Officer:	
A-250	Salary—County Service Officer	$ 4,500.00
A-252	Salary—Clerk II to Service Officer	2,878.00
	Total, Service Office	$ 7,378.00
	Pensions:	
A-270	Pensions—Confederate Widows (2)	$ 900.00
	Total, Pensions	$ 900.00

A-271	Mental Health:	
	Mental Health Board	$ 15,246.63
	Total, Mental Health	$ 15,246.63
	Total, Item 4—Poor and Needy	$101,664.63
Item 5.	Law Enforcement:	
	Sheriff:	
A-275	Salary—Sheriff	$ 9,135.00
A-276	Auto Expense—Sheriff	2,500.00
A-277	Chief Deputy Sheriff—Salary	5,145.00
	Expense	3,660.00
A-278	Assistant Chief Deputy Sheriff—Salary	5,019.00
	Expense	3,540.00
A-285	Other 9 Deputies—Salary $404.25	43,659.00
	Expense	29,160.00
A-290	Extra Police Help	7,000.00
A-292	Salary—Clerk I to Sheriff	3,185.00
A-295	Extra Help—Sheriff's Office	1,000.00
A-298	Uniforms and Supplies	3,000.00
A-299	Arms, Ammunition, Schools, Technical Supplies	1,000.00
A-301	Rural Police Radio Service	1,300.00
A-302	Transportation of Prisoners	1,000.00
A-303	Secret Service and Rewards	1,500.00
A-304	S. C. Police Officers' Retirement System	10,000.00
	Total, Sheriff	$130,803.00
	Solicitor:	
A-310	Expense—Solicitor	$ 600.00
A-311	Salary—Clerk II to Solicitor	3,031.00
	Total, Solicitor	$ 3,631.00
	Probation Office:	
A-313	Office Expense—S. C. Probation and Parole Board	$ 150.00
	Total, Probation Office	$ 150.00

	County Attorney:	
A-315	Salary—County Attorney	$ 900.00
A-316	Legal Expense—County Attorney	1,000.00
	Total, County Attorney	$ 1,900.00
	Total, Item 5—Law Enforcement	$136,484.00
Item 6.	Administration:	
	County Board of Commissioners:	
A-320	County Board—Per Diem, salary and travel	$ 8,000.00
A-323	Salary—Exec. Sec. to County Board	7,200.00
A-325	Salary—Deputy Clerk to Board	4,800.00
A-330	Contingent Fund—County Board	1,500.00
	Total, County Board of Commissioners	$ 21,500.00
	Auditor:	
A-335	Part Salary—Auditor	$ 3,633.00
A-336	Salary—Deputy Auditor	4,800.00
A-337	Salary—Clerk II to Auditor	2,646.00
A-338	Salary—Clerk II to Auditor	3,009.00
A-339	Salary—Clerk II to Auditor	2,976.00
A-340	Extra Help—Auditor's Office	1,500.00
A-341	Per Diem—Tax Assessors and Appeals Board	250.00
	Total, Auditor	$ 18,814.00
	Treasurer:	
A-344	Part Salary—Treasurer	$ 3,255.00
A-346	Salary—Deputy Treasurer	3,600.00
A-347	Salary—Clerk II to Treasurer	2,910.00
	Total, Treasurer	$ 9,765.00
	Tax Collector:	
A-355	Salary—Tax Collector	$ 5,985.00
A-355A	Mileage—Tax Collector	750.00
A-356	Salary—Clerk I to Tax Collector	3,438.00
A-357	Salary—Clerk II to Tax Collector	2,657.00
A-360	Salary and Mileage—Tax Collector's Riders	9,300.00
	Total, Tax Collector	$ 22,130.00
	Total, Item 6—Administration	$ 72,209.00

Item 7.	Miscellaneous:	
A-365	Expense—Rural Fire Control Board	$ 10,000.00
A-370	Telephone and Telegraph	10,000.00
A-371	Postage, Stationery, Office Supplies	17,000.00
A-372	General Election Expense	100.00
A-374	Annual Audit	3,350.00
A-375	Advertising Tax Sales, Bids, etc.	2,500.00
A-377	Employees' Group Insurance Premiums	3,000.00
A-380	Officials' and Employees' Bond Premiums	850.00
A-382	Workmen's Compensation Tax	1,000.00
A-383	State Retirement—County's Share	11,500.00
A-384	Social Security—County's Share	12,500.00
A-385	Rabies Control—Salary and Expense	1,400.00
A-386	County Planning Board	9,444.00
A-387	Sumter Chamber of Commerce	1,000.00
A-389	Sumter County Development Board	5,000.00
A-390	Maintenance—Sumter City Streets	55,000.00
	Total, Item 7—Miscellaneous	$143,644.00
Item 8.	National Defense:	
A-392	Sumter Armory Maintenance	$ 1,000.00
A-392A	Civil Defense Expense	2,500.00
A-395	Armed Services YMCA	1,980.00
	Total, Item 8—National Defense	$ 5,480.00
Item 9.	Insect and Pest Control:	
A-397	Sumter County Fly and Mosquito Control	$ 5,150.00
A-398	City DDT Campaign	1,500.00
	Total, Item 9—Insect and Pest Control	$ 6,650.00
Item 10.	Education:	
	Superintendent of Education:	
A-402	Per Diem—County Board of Education	$ 570.00
A-405	Salary—Superintendent of Education	2,215.50
A-406	Salary—Clerk II to Supt. of Education	3,108.00
A-407	Salary—School Attendance Supervisor	1,704.00
A-408	Salary—Clerk II to Attendance Supervisor	3,108.00
A-409	County Board of Education—Dues	100.00
A-410	Adult Education	1,500.00
	Total, Superintendent of Education	$ 12,305.50

	Future Homemakers of America:	
A-412	Future Homemakers of America	$ 200.00
	Total, Future Homemakers of America	$ 200.00
	Home Demonstration Agent:	
A-415	Part Salary—Home Demonstration Agent	$ 480.00
A-416	Part Salary—Ass't. Home Demonstration Agent	360.00
A-417	Salary—Steno to Home Demonstration Agent	1,450.00
A-418	Home Demonstration Supplies	225.00
A-420	Sumter County Council of Farm Women	100.00
	Total, Home Demonstration Agent	$ 2,615.00
	County Farm Agent:	
A-430	Part Salary—Farm Agent	$ 2,024.00
A-431	Part Salary—Assistant Farm Agent	660.00
A-432	Part Salary—Assistant Farm Agent	1,920.00
A-433	Part Salary—Steno to Farm Agent	1,500.00
A-435	Travel—Farm Business Research	200.00
A-436	White Farm Agent—Long Distance Telephone expense	300.00
	Total, County Farm Agent	$ 6,604.00
	Negro Home and Farm Agent:	
A-445	Part Salary—Negro Farm Agent	$ 600.00
A-446	Part Salary—Negro Home Demonstration Agent	920.00
A-447	Salary—Negro Clerical Help	2,079.00
A-448	Office Rent—Negro Farm Agent	900.00
A-449	Supplies—Negro Home and Farm Agents	250.00
	Total, Negro Home and Farm Agents	$ 4,749.00
	Soil Conservation Office:	
A-462	Salary—Steno to SCS Director	$ 1,200.00
	Total, Soil Conservation Office	$ 1,200.00
	County Fair:	
A-465	Sumter County Fair Association	$ 1,300.00
	Total, County Fair	$ 1,300.00

	Forest Ranger:	
A-470	Part Salary—Forest Ranger	$ 240.00
	Total, Forest Ranger	$ 240.00
	Game Wardens:	
A-481	Game Wardens' Expense	$ 720.00
	Total, Game Wardens	$ 720.00
	Technical Education:	
A-482	Technical Education Center Expense	$ 12,800.00
	Total, Technical Education	$ 12,800.00
	Total, Item 10—Education	$ 42,733.50
Item 11.	Airport Construction:	
	Airport Construction	$ 12,250.00
	Total, Item 11—Airport Construction	$ 12,250.00
	GRAND TOTAL	$882,473.90

SECTION 2. Before any new county employee is employed by any department, the county board of commissioners shall first approve the salary or compensation to be received by such new employee, which salary or compensation shall not exceed that as set forth in the prevailing salary schedule.

SECTION 3. The amount herein provided for the salary of the sheriff, treasurer, judge of probate and clerk of court shall be in lieu of all fees collected pursuant to the laws of the State of South Carolina and the amounts herein provided shall be the salaries of such officers for all their services for the fiscal year commencing July 1, 1965.

SECTION 4. The above accounts shall be kept separate and expended for the purposes for which appropriated; and the county board of commissioners shall not expend or contract to expend under any general item any sum greater than the amount for such general item herein appropriated, except with the approval of a majority of the county delegation, and no account against the county shall be approved or paid except a properly authorized expenditure by the county board.

SECTION 5. In the purchase of equipment, or articles needed in the operation of any branch of the county government, or in the employment of any person, firm or corporation, for any article or service to be rendered to the County of Sumter, price and quality being equal, preference shall be given to citizens, firms or corporations of Sumter County, if available, but if not available within the county, then preference on same basis shall be given to persons, firms or corporations of the State of South Carolina, and where not available within the county or State, they may be procured to best advantage from other sources. All county supply purchases (except for schools) shall be made through the office of the county board of commissioners and on purchases amounting to one hundred dollars, or more, bids from two or more vendors shall be called for.

SECTION 6. The Treasurer of Sumter County is hereby authorized, empowered and directed to pay any sum of money from such fund or funds and for such purposes as she may be directed in writing by a majority of the Sumter County Legislative Delegation.

SECTION 7. The Chairman of the Sumter County Board of Commissioners shall have the custody and control of the second floor of the courthouse and no use shall be had of that part of the building without the consent and approval of the chairman.

SECTION 8. The expense of the following items, while herein fixed at amounts of estimated needs, may vary in accordance with the fixed charges payable under such items as required by law, and by reason thereunder may not be sufficient:

A-120 Jury Pay and Court Expense
A-191 Court Expense—Civil and Domestic Relations Court
A-383 State Retirement—County's share
A-384 Social Security—County's share
A-304 S. C. Police Officers' Retirement System
A-375 Advertising Tax Sales, Bids, Reports, etc.
A-402 Per Diem—County Board of Education
A-145 Coroner's Juries, Inquests, etc.
A-175 Mental Health and Lunacy Examinations
A-341 Per Diem—Tax Assessors and Appeals Board
A-380 Officials' and Employees' Bond Premiums
A-364 Tax Warrant Service Fees to Police
A-382 Workmen's Compensation Premium Tax

The Treasurer of Sumter County is authorized to pay such sums as may be necessary to meet the fixed expenses of the items mentioned in this section in excess of the amount appropriated therefor.

SECTION 9. The county board of commissioners shall publish, in at least one newspaper published in the county, a consolidated statement of all receipts and disbursements annually, as of July first of each year.

SECTION 10. The Treasurer of Sumter County is directed to pay to the City of Sumter one-fourth of all amounts received from the tax on gasoline which is designated for general county purposes, to be used for the maintenance of streets in the City of Sumter.

SECTION 11. The county auditor shall deliver the tax books to the county treasurer not later than September first of each year.

SECTION 12. Notwithstanding the provisions of Section 64-151 of the 1962 Code, in Sumter County only National Thanksgiving Day, all general election days, the twenty-fifth and twenty-sixth days of December, the first day of January, the fourth day of July, and the first Monday in September shall be legal holidays.

SECTION 13. No levy for school purposes shall be made in any district unless approved by the county board of education and a majority of the legislative delegation, including the Senator.

SECTION 14. Notwithstanding the provisions of Section 42-644 of the 1962 Code, the board of the Carnegie Public Library of Sumter shall submit its annual budget to the county legislative delegation for approval.

SECTION 15. All boards and commissions receiving funds from the county shall send a copy of the minutes of each meeting and shall annually submit financial reports to the county legislative delegation and the county board of commissioners.

SECTION 16. Salaries provided herein for the Sheriff, the Clerk of Court, the Auditor, the Treasurer, the Judge of Probate, and the County Superintendent of Education are appropriated for the present holders of the aforesaid offices and in the event vacancies occur in any of these offices the beginning salaries and appropriations therefor shall be determined by the county legislative delegation.

SECTION 17. This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1965.

(R218, H1414) **No. 718**

An Act To Authorize The County Board Of Education Of Union County To Sell And Convey Any Abandoned School Property In The County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Union County Board of Education may sell abandoned school property.—In Union County the county board of education is hereby authorized to sell and convey any abandoned school property in the county in accordance with the provisions of this act.

SECTION 2. Sale.—If the abandoned property is in the immediate neighborhood of an organized church, the church or any other organized group desiring to purchase the property to be used for a community house, a health center or other community projects, may be allowed to purchase the property at such price as may be deemed fair and just by the county board of education. If the property is not sold to any church or organized group, then the board may negotiate or advertise the same for sale to the public and may sell the same to the highest bidder, reserving the right to reject any and all bids. Deeds of the conveyance shall be made to the purchaser by the chairman and secretary of the board.

SECTION 3. Proceeds.—The proceeds from the sale of any abandoned school property shall be turned over to the general fund of the county and shall be used for school purposes.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of March, 1965.

(R639, H1861) **No. 719**

An Act To Appropriate Money For The Ordinary Operating Expenses Of Union County For The Fiscal Year Beginning July 1, 1965, And Ending June 30, 1966, And To Appropriate Money For Certain Other Purposes And To Provide A Tax Levy Therefor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Subject to the terms and conditions of this act, the several sums of money hereinafter designated, if so much be necessary, are hereby appropriated to defray the ordinary operating expenses of Union County during the fiscal year beginning July 1, 1965, and ending June 30, 1966, and to provide for other purposes hereinafter stated:

Item 1.	Auditor's Office:	
	A. Salaries:	
	1. Auditor (County's part)	$ 2,280.00
	2. Clerk, 2 @ $3,120.00 each	6,240.00
	B. Travel in taking tax returns	200.00
	Total, Item 1	$ 8,720.00
Item 2.	Circuit Courts:	
	A. Expenses of Regular Terms	$ 5,000.00
	Provided, that the Grand Jurors and Petit Jurors shall be paid at the rate of ten dollars per day and shall receive mileage at the rate of ten cents per mile one way; the Court Crier and Bailiffs shall receive not exceeding eight dollars per day; the jury boy shall receive not exceeding five dollars per day. The Sheriff of Union County shall not employ more than five Bailiffs or other attendants, exclusive of the Court Crier, at any terms of Court of General Sessions, and more than four Bailiffs or other court attendants, exclusive of the Court Crier, at any term of Court of Common Pleas for Union County. The Clerk of Court shall employ an attendant or janitor during the session of court and such attendant or janitor shall receive eight dollars per day for his services.	
	Total, Item 2	$ 5,000.00
Item 3.	Civil and Criminal Court of Union, and Juvenile and Domestic Relations Court:	
	A. Salaries:	
	1. Judge	$ 6,500.00
	2. Solicitor	3,916.20
	3. Court Reporter	3,120.00

B. Expenses, Regular Term:

Court Sessions	3,000.00

Provided, that the Grand Jurors and the Petit Jurors shall be paid at the rate of ten dollars per day and shall receive mileage at the rate of ten cents per mile one way; the Court Crier and Bailiffs shall receive not exceeding eight dollars per day. The Sheriff of Union County shall not employ more than three Bailiffs or other attendants, exclusive of the Court Crier, at any term of the Court. The Clerk of Court shall employ an attendant or janitor during the session of the Court and such attendant or janitor shall receive eight dollars per day for his services. *Provided,* the Judge shall order the payment of the expenses of the Court. (Exempted from Section 8 and Section 16)

Total, Item 3	$ 16,536.20

Item 4. Clerk of Court's Office:

A. Salaries:

1. Clerk of Court	$ 5,510.90
2. Deputy Clerks, 3 @ $3,120.00 each	9,360.00
3. Microfilming	275.00
4. Supplies and Fixtures	4,000.00
Total, Item 4	$ 19,145.90

Item 5. County Governing Board and Supervisor's Office:

A. Salaries:

1. Township Commissioners, 8 @ $962.00 each	$ 7,696.00

Provided, that they shall meet regularly at Union County Courthouse on the first Monday and third Friday of each and every calendar month during the fiscal year.

2. Supervisor	5,500.00
3. County Bookkeeper	4,375.00
4. Chain Gang Captain	4,561.00
Assistant Chain Gang Captain	3,510.00
5. 1 Special Night Guard	1,300.00
6. Week-end Guards 2 @ $760.00 each	1,520.00

7. Chain Gang Guards, 12 @ $3,060.00 each	36,720.00
8. Mechanic	3,631.00
9. Janitor for Courthouse	3,045.00
10. County Doctor	869.37
11. Farmer at County Farm	3,000.00
12. Practical Nurses at County Home, 2 @ $1,810.00 each	3,620.00
13. Night Nurse	1,550.00
B. Materials, Supplies and Repairs:	
1. Maintenance and repair of road machinery, trucks	$ 16,000.00
a. For purchase of new road machinery, if so much be necessary	15,000.00
Provided, that the Supervisor shall cause to be kept an accurate record of the operating and repair costs with respect to each truck and/or machine.	
2. Bridges and Bridge Repairs	3,000.00
3. Top Soil and gravel for dirt road maintenance	2,000.00
4. Feeding, clothing and housing convicts	14,000.00
Provided, the Captain of the Chain Gang shall make a monthly report in writing to County Supervisor of all food produced and the use made thereof at the County Chain Gang.	
5. Gasoline, oil and grease	12,000.00
6. Public buildings—Repairs, heat, lights, power, water and telephone	10,000.00
Provided, that telephones in county offices shall not be used for long distance calls except on county business; and *provided,* further, that $1,000.00 of the above figure is set aside exclusively for maintenance or repairs on the Courthouse, and is to be paid out only on order and approval of the Union County Legislative Delegation.	
7. Books, stationery and office supplies	5,000.00
Provided, the different county officers in the Union County Courthouse may purchase the books, stationery and office supplies for their respective offices. (Exempted from Section 8 and Section 16).	

8. Materials for maintenance of surface-treated roads		15,000.00
Provided, that any moneys in excess of $2,500.00 shall be approved by unanimous order of the Union County Legislative Delegation.		
C. 1. Surface-treating county roads, including necessary road preparation	$	5,000.00
Provided, that the plans and methods and any contracts for surface-treating roads shall first be approved by the Governing Board, and the Governing Board shall designate the roads to be surface-treated, with unanimous approval of the Union County Legislative Delegation.		
D. County Home		12,000.00
Provided, the Superintendent of the County Home shall make a monthly report in writing to the County Supervisor of all food produced and the use made thereof on the County Farm and at the County Home.		
E. Miscellaneous Items:		
1. Premiums for insurance on public buildings		3,000.00
2. Workmen's Compensaton Insurance Premiums		2,000.00
3. County's required contribution under Retirement System and Social Security		9,000.00
4. Post mortems and lunacies		1,000.00
Total, Item 5		$204,897.37
Item 6. Magistrates and Constables:		
A. Salaries:		
Magistrate at Buffalo	$	975.00
Magistrate at Carlisle		975.00
Magistrate at Cross Keys		975.00
Magistrate at Goshen Hill		975.00
Magistrate at Jonesville		975.00
Magistrate at Lockhart		975.00
Magistrate at Santuc		975.00
Magistrate at Union Courthouse		5,200.00
Constable at Buffalo		820.00
Constable at Carlisle		820.00
Constable at Cross Keys		820.00

Constable at Goshen Hill	820.00
Constable at Jonesville	820.00
Constable at Lockhart	820.00
Constable at Santuc	820.00
Total, Item 6	$ 17,765.00

Item 7. Probate Judge and Master's Office:

A. Salaries:	
1. Probate Judge and Master	$ 5,500.00
2. Clerk to Probate Judge and Master	3,120.00
Total, Item 7	$ 8,620.00

Item 8. Sheriff's Office:

A. Salaries:	
1. Sheriff	$ 5,500.00
2. Official expense allowance for Sheriff	600.00
3. Eleven Deputy Sheriffs @ $4,340.00 each	47,740.00
4. Clerk to Sheriff	3,120.00
5. Salary, Maintenance of radio system	642.00
6. Radio Supplies, if so much be necessary	2,500.00

Provided, that no funds shall be paid from this account unless approved by the County Radio Technician.

B. Supplies:	
1. Dieting jail prisoners	4,000.00

Provided, the Sheriff shall receive $1.50 per day per prisoner, for dieting, if so much be necessary.

2. Jail expenses, miscellaneous	1,200.00
3. Gasoline, oil and repairs for patrol automobiles and radio system	4,000.00

Provided, the Sheriff and his deputies shall be furnished with such gasoline and oil, which gasoline and oil shall be used only in discharge of their official duties or official business. The Sheriff and each deputy sheriff, upon receipt of such gasoline and oil, shall sign a ticket therefor, which ticket shall set forth the name of the officer receiving same, the amount received and the date thereof. Such ticket shall be transmitted to the county bookkeeper monthly and a perma-

	nent record of the monthly totals received by each official shall be kept by the bookkeeper and charged to this item.	
	4. Payment for two patrol cars to be purchased ..	3,500.00
	Provided, purchases shall be approved by the Governing Board and Legislative Delegation.	
	Courthouse Custodian	600.00
	Total, Item 8	$ 73,402.00
Item 9.	Treasurer's Office:	
	A. Salaries:	
	1. Treasurer (County's part)	$ 2,280.00
	2. Clerk to Treasurer	3,120.00
	B. Travel in collecting taxes	200.00
	Total, Item 9	$ 5,600.00
Item 10.	Miscellaneous Appropriations:	
	A. Coroner's Salary	$ 2,034.77
	B. Clerk	963.00
	C. Health Officer's Salary (County's part)	904.59
	D. Board of Equalization	1,800.00
	Provided, that each member of the Board of Assessors shall receive $8.00 per day for services actually performed.	
	E. Premiums on Officers' Bonds	1,000.00
	F. Audit of Union County's books to be made under the direction of the Grand Jury of Union County	2,500.00
	G. Contingent Fund for Union County Legislative Delegation to meet unforeseen requirements ..	20,000.00
	H. Adult Education	1,500.00
	I. To be expended as high school textbook rental for children whose parents or guardians are receiving public welfare funds for support, *provided* Union County Public Welfare Department and Union County Public Schools shall certify entitlement	500.00
	Total, Item 10	$ 31,202.36

Item 11. Pensions and Contributions:	
A. Hope Hospital	$ 5,000.00
B. Wallace Thomson Hospital (payable monthly)	25,000.00
C. Salvation Army	900.00
D. Union County Tuberculosis Clinic	900.00
E. American Legion:	
1. Buffalo Post	100.00
2. Jonesville Post	100.00
3. Lockhart Post	100.00
4. Union Post	100.00
F. Veterans of Foreign Wars	100.00
F.(2) Disabled American Veterans	100.00
G. National Guards:	
1. Co. A 218th Infantry (Union)	800.00
2. Troop A, 53rd Cavalry Div. (Lockhart)	900.00
3. Hdq. Co., 1st Battalion (Union)	800.00
4. Heavy Motor Company, 218th Infantry (Jonesville)	900.00
Where companies are combined, the combined units shall share pro rata in the combined funds.	
H. Jonesville Chapter, Future Farmers of America	200.00
I. Union Community Hospital (payable monthly) *Provided,* however, that any hospital established through grant or by foundation shall file with the Clerk of Court of Union County and each member of the Union County Legislative Delegation a copy of their audit for the current fiscal year in order to receive funds appropriated in this act.	1,500.00
J. Union County Soil Conservation Committee *Provided,* payment of this item shall be made on Delegation order.	300.00
M. Civil Air Patrol	750.00
N. Fire Departments:	
1. Buffalo Fire Department	200.00
2. Monarch Fire Department	200.00
3. Lockhart Fire Department	200.00
Total, Item 11	$ 39,150.00

Item 12. Supplements for State and Federal Agencies:	
A. County Service Officers:	
1. Service Officer's Salary	$ 1,605.00
2. Salary of Assistant to Service Officer	1,835.00
3. Travel for Service Officer	500.00
B. Health Department:	
1. General Services	9,685.00
Provided, however, that at least two Public Health Nurses shall be employed at all times.	
C. Home Demonstration Agent's Office (Kress Building):	
1. Stenographer's salary	1,178.77
2. Demonstration supplies, stamps and telephone, etc.	150.00
3. Agent's salary	272.85
D. Home Demonstration Agent's Office (Long Building):	
1. Agent's salary and travel	834.60
2. Rent (Home Demonstration Agent and Agricultural Agent—joint)	288.00
3. 4-H Club Work	350.00
4. Fuel	40.00
5. Stenographer's salary	411.95
6. Demonstration Material	50.00
E. Agricultural Agent's Office (Kress Building):	
1. Agent's salary	759.70
2. Stenographer's salary	481.50
3. Rent—to be paid monthly	228.00
4. Stamps, Incidentals	25.00
F. Agricultural Agent's Office (Long Building):	
1. Telephone—joint with Home Demonstration Agent	99.00
2. Stenographer's salary	1,107.45
3. Equipment and demonstration supplies	50.00
G. Circulating Library:	
1. Salary—Librarian	2,000.00
2. Rent, to be paid monthly	72.00
H. Agricultural Conservation Association:	
1. Rent, to be paid monthly	480.00
I. Farm Home Administration:	
1. Rent, to be paid monthly	240.00

J.	County Department of Public Welfare:	
1.	Salaries:	
	(a) Director	759.70
	(b) Visitors, 5 @ $690.15 each	3,450.75
	(c) Stenographers, 3 @ $690.15 each	2,070.45
	(d) Board Members, 3 @ $785.00 each	2,355.00
2.	Rent and Miscellaneous Office Expenses	1,000.00
	Provided, that one-fourth of this item shall be remitted by the County Treasurer quarterly to the State Department of Public Welfare for matching federal funds for these purposes, and that all items paid out of such funds by the State Department shall be first approved by the Director of the Union County Department of Public Welfare.	
3.	Foster Home Fund	500.00
4.	Emergency Relief, to be disbursed by orders of a majority of the Union County Board of Public Welfare after proper investigation	2,500.00
5.	Office Expense	1,200.00
K.	County Forest Rangers:	
1.	Ranger	829.25
2.	Two Wardens @ $759.70 each	1,519.40
3.	Towerman at Kelly Tower	411.95
4.	Tractor Driver	515.20
L.	Union County Mental Health Association	5,000.00
M.	Probation Officer's Clerk	882.75
N.	Civil Defense Director	900.00
1.	Clerk	1,732.50
	Total, Item 12	$ 48,370.77
Item 13.	County Game Warden:	
A.	Salary	$ 2,632.20
B.	Expenses	600.00
	Provided, the County Game Warden shall keep the County Legislative Delegation informed of the status of fish and game resources in Union County.	
	Total, Item 13	$ 3,232.20

Item 14.	To effectuate the registration of voters for the fiscal year 1964-1965 and to be spent in the same manner as ordinary county funds	2,000.00
	Total, Item 14	$ 2,000.00
Item 15.	Money appropriated and to be expended only upon the written authorization and direction of the Senator and both members of the House of Representatives of the Union County Legislative Delegation to the General Assembly of South Carolina by unanimous Legislative Order for expenses incurred or to be incurred in the construction of Tyger River Corporation, Union, South Carolina	$ 25,000.00
	Total, Item 15	$ 25,000.00
	GRAND TOTAL	$508,641.80

SECTION 2. The payment of the respective appropriations contained in each item of Section 1 hereof, except when otherwise expressly provided, shall not exceed one-fourth or twenty-five per cent of the total annual appropriation of such item during any consecutive three months' quarter of the current fiscal year, 1965-1966, commencing July 1, 1965, and on the first day of each successive month thereafter, the last day of each third month being reckoned as the end of such quarter. The foregoing requirement of this section shall not be waived except by written unanimous consent of all members of the Union County Legislative Delegation, and any county official who overspends and disburses any money or monies in excess of one-fourth or twenty-five per cent of the total annual appropriation of any item during any three consecutive months' quarter of the current fiscal year, 1965-1966, as aforesaid, except when such requirement has been waived by written unanimous consent of all members of the Union County Legislative Delegation, shall thereby and thereupon forfeit the office and shall immediately vacate the office or be subject to immediate removal from office. The Union County Legislative Delegation may transfer funds from any item or items to any other item or items in the county appropriations act of the fiscal year 1965-1966, by unanimous delegation order in writing.

SECTION 3. For the fiscal year beginning with July 1, 1965, and ending with June 30, 1966, the Auditor of Union County is hereby authorized and directed to levy, and the Treasurer of Union County to collect, as and when other county property taxes are levied and collected, upon all taxable property in Union County, a tax of such millage as will, when added to all other income or revenue received by the county for general purposes during such fiscal year, produce sufficient funds to meet the sums of money appropriated herein or prior hereto; *provided,* that the millage so levied shall be approved in writing by the entire Union County Legislative Delegation.

SECTION 4. The salary of no employee of Union County shall be paid, increased or supplemented from any county funds above the amount appropriated for such employee in Section 1 hereof, except with the unanimous consent of the Union County Legislative Delegation.

No delegation order authorizing payment of county funds, before now or hereafter, shall be valid beyond the fiscal year in which it was written.

SECTION 5. The county bookkeeper, shall, during each month, send to each member of the Union County Delegation an itemized list of all expenditures of the county for the preceding month, and also an itemized list of all obligations incurred and not paid.

SECTION 6. The Grand Jury of Union County shall appoint the auditor to audit the books of Union County, Wallace Thomson Hospital and Union County Schools. *Provided,* however, that the persons or firm so appointed shall be certified public accountants; and *provided,* further, that the schools and the hospitals shall bear the cost of their respective audits. Such auditor shall be paid after the completion of the work and the delivery of the audits. The original of the audits shall be filed with the clerk of court, who shall keep the same on file as public audits, and a copy thereof shall be furnished to each member of the legislative delegation.

SECTION 7. In all matters to be determined under this act by the Union County Delegation, no action shall be valid or binding unless concurred in by all members of the delegation. In the event, however, of the death, resignation or removal of any one or more of the members of the delegation, the remaining members shall have the right to execute any unanimous agreement.

SECTION 8. The Supervisor and Governing Board of Union County shall be the sole purchasing agent for all supplies, equipment, machines, etc., used by any officer, agent or department of Union County, and all purchases in excess of one hundred dollars shall be made on a competitive bid basis after advertisement in the Union Daily Times for a period of ten days prior to such purchases; *provided,* that such advertisement shall be published twice during such ten-day period. No vouchers or warrants for purchases made in violation of this section (except emergency purchases provided for in Section 14 hereof) shall be approved for payment by the supervisor and governing board or paid by the county treasurer. *Provided,* this section shall not apply to those items specifically exempted in Section 1 of this act.

SECTION 9. The Sheriff of Union County shall be the custodian of the courthouse and courthouse grounds and shall have supervision over the courthouse janitor. The Union County Legislative Delegation may by unanimous agreement assign office space in the Union County Courthouse.

SECTION 10. All fees and costs collected by any official of Union County shall be turned over to the Treasurer of Union County at least once each month. *Provided,* however, the magistrates shall be allowed to retain their respective costs and fees in all civil matters as a part of their compensation; and the sheriff, as constable for the Magistrate at Union County Courthouse, shall likewise be allowed to retain his costs and fees as a part of his compensation.

SECTION 11. The Supervisor of Union County shall appoint a Superintendent of the County Home and a Captain of the Union County Chain Gang. The Governing Body of Union County shall elect a county mechanic, and eight chain gang guards. The commissioner from each of the respective townships shall recommend with the approval of the captain of the chain gang the election of one of the chain gang guards, and in the event any commissioner or commissioners shall fail or refuse to recommend the election of a chain gang guard or chain gang guards, as hereinbefore provided, within a period of four weeks of a vacancy in such position or positions, then the Governing Body of Union County shall elect a chain gang guard or chain gang guards to fill such vacant position or positions. The Senator and the two members of the House of Representatives, as the Legislative Delegation of Union County, are authorized and em-

powered to declare a state of emergency concerning any work or affairs or employees of Union County by signing and filing an order with the county supervisor ordering work to be performed on county property, roads and facilities, and requiring work to be done to promote the industrial development of the county and the general welfare. The Union County Legislative Delegation may name a superintendent of surface-treated roads. The superintendent of surface-treated roads may name two convict camp guards from the county at large with approval of the legislative delegation. One of the convict camp guards so appointed shall serve as day yardman at the chain gang camp and the other convict camp guard shall assist with the surface-treating program under the superintendent of surface-treated roads. The Union County Legislative Delegation shall by unanimous delegation order appoint a county attorney and a county bookkeeper.

SECTION 12. The superintendent of surface-treated roads shall requisition the supervisor, county bookkeeper, the Governing Body of Union County, and the captain of the chain gang for the equipment and materials and personnel necessary and required by the superintendent of surface-treated roads to construct, maintain, and repair the surface-treated roads of Union County, including bridges thereon, and driveways, church yards and cemeteries, and all other surface-treated work and projects of Union County, and in the event of any dispute or conflict involving surface-treated roads, bridges thereon, and driveways and church yards and cemeteries, and all other surface-treated work and projects of Union County, or the equipment, materials or personnel used in the construction or maintenance or repair of same, arising between any of the officials or agencies of Union County, such dispute or conflict shall be unanimously resolved in writing by all members of the Union County Legislative Delegation, and such unanimous determination and decision by all members of the Union County Legislative Delegation, rendered in writing, shall be final and binding upon all officials and agencies of Union County concerned by the dispute or conflict involving surface-treated roads, bridges thereon, driveways, church yards and cemeteries, and all other surface-treated work and projects of Union County or the equipment, materials or personnel used in the construction or maintenance or repair of the same, or to be used for such purpose or purposes. Otherwise, the captain of the chain gang shall make all job and work assignments at the Union County

chain gang, including both employees and prisoners, and, except as otherwise herein provided, shall be in direct and immediate control at all times. All instructions from the Union County Supervisor and the Governing Body of Union County concerning surface-treated roads, bridges thereon, driveways, church yards and cemeteries, and all other surface-treated work and projects of Union County, or the equipment, materials or personnel used or to be used in the construction or maintenance or repair of same shall be transmitted directly to the superintendent of surface-treated roads and all other instructions from the Union County Supervisor or the Governing Body of Union County concerning matters other than matters and affairs related to surface-treated roads as aforesaid shall be transmitted directly to the Captain of the Union County Chain Gang.

SECTION 13. The Supervisor of Union County shall have general supervision of, and be responsible for, all roads and bridges, the County chain gang and the county home; subject, however, to the emergency powers conferred on the Legislative Delegation in Section 11 of this act. *Provided,* however, the superintendent of surface-treated roads shall be in immediate charge and control of all equipment, materials and personnel, used or to be used in the construction or maintenance or repair of surface-treated roads, bridges thereon, driveways, church yards and cemeteries, and all other surface-treated work and projects of Union County, and the captain of the chain gang shall be in immediate charge and control of all other persons employed at the Union County Chain Gang, and such persons, with the exception of the superintendent of surface-treated roads, shall be subordinated to the chain gang captain, regardless of their titles or duties, and the captain of the chain gang is hereby empowered to dismiss any such employee or employees, except the superintendent of surface-treated roads. Such suspended or dismissed employee shall have the right to appeal to the county governing board and the county supervisor, who shall jointly hold such hearings as may be deemed necessary to determine the facts and pass on the merits of such dismissal or suspension, and in their discretion may either sustain or reverse such dismissal or suspension; however, to override the action taken by the captain of the chain gang, it shall be necessary for no less than five board members and the county supervisor to so vote. The superintendent of surface-treated roads shall be subject to suspension or dismissal by unanimous action in writing to be signed by all members of the Union County Legislative Delegation.

SECTION 14. The county governing board, by a majority vote of those present at a regular or special meeting thereof, shall have authority and is hereby required to order and direct the supervisor to provide for and cause to be done all proper and necessary repairs and maintenance work on roads and bridges, and may designate the roads or bridges to be repaired or maintained. It shall be the duty of the supervisor to carry out such orders and directions of the board as fully and completely as may be possible, and in the absence of any orders or directions from the governing board, whether this be caused by completion of all work ordered by the board, or by failure of the board to direct a schedule of such work or for any other cause, then it shall be the duty of the supervisor to direct and cause to be performed the proper and necessary repairs and maintenance work on roads and bridges. In cases of emergency, arising from any cause where a county road or bridge has become or is about to become hazardous, dangerous or impassable to traffic, the supervisor shall take immediate action on his own initative, even if it be necessary temporarily to stop work that has been ordered or directed by the governing board, to meet and overcome such emergency, and he shall cause such work to be done so as to afford traffic reasonable and safe passage over such road or bridge. In order to carry out the orders and directions of the governing board, or to meet emergencies which may arise, the supervisor shall convey instructions and orders for such repair and maintenance work to the captain of the chain gang and should the captain fail or refuse to carry out orders and directions submitted to him by the supervisor, then and in such event the supervisor may suspend or dismiss the captain of the chain gang. *Provided,* further, that any county officer or employee who shall be suspended, removed or discharged as herein provided shall not be paid for any period during such time of suspension and, in case of removal or discharge, shall not receive pay from any after the date thereof.

The powers and authority enumerated and set forth in this section shall not nullify or diminish or be in derogation of the powers and authority heretofore enumerated and set forth in the preceding sections of this appropriations act concerning the superintendent of surface-treated roads.

SECTION 15. The county supervisor and the Union County Governing Board may authorize the clerk or bookkeeper to make purchases not exceeding one hundred dollars in cases of emergency. The

clerk or bookkeeper shall give bond in the sum of one thousand dollars, conditioned for the faithful performance of his duties, the premium for such bond to be paid as the premiums for the bonds of other county officers are now paid.

SECTION 16. All purchases for all supplies, equipment, machines, etc., and goods or services for Union County shall be made upon a written order specifically designating whatever is to be purchased or paid for, signed by the county official or employee requesting same, and approved by the signature of the county supervisor or county bookkeeper endorsed on such order. No vouchers or warrants for purchases or payments made in violation of this section shall be approved for payment by the county supervisor or governing board or paid by the county treasurer. The county supervisor or the county bookkeeper shall have the power of inspection of all purchases and services rendered for Union County at all times. Any county official or employee who makes any purchase or contract for services other than as herein provided shall be subject to immediate removal from office.

Provided, this section shall not apply to those items specifically exempted in Section 1 of this act.

SECTION 17. The Union County Bookkeeper shall maintain a record of all absences and vacations taken by county employees. All county employees shall have an annual noncumulative sick leave of thirty days per year. Employees shall be paid for these thirty days' sick leave, *provided* sickness is properly substantiated by a doctor's certificate.

SECTION 18. It shall be unlawful to sell or offer for sale any wine or beer in Union County between the hours of twelve o'clock Saturday night and sunrise Monday morning. Any person, firm or corporation violating this section shall be punished by a fine of not more than one hundred dollars, or by imprisonment for not exceeding thirty days. The right of any person to sell wine and beer in Union County at any time, under a license issued by the State, shall be forfeited and the license revoked, upon conviction of violating the provisions of this section.

SECTION 19. Any circus, carnival, or other such admission-charging show or amusement that usually exhibits under a tent or outdoors may exhibit in Union County without payment of any license fee

or charge. *Provided,* that such exhibition is made under the auspices or sponsorship of a local eleemosynary association or organization and pursuant to a contract requiring such association or organization to pay the license for such exhibition; and *provided,* further, that such exhibition is first approved by and the time and place set by the Executive Secretary and Treasurer of Union County Fair Association.

SECTION 20. No license shall be issued for the practice of fortunetelling or palm reading in Union County.

SECTION 21. The members of the press shall be allowed to attend any meeting where the expenditures of county money, including money allocated to the county from State funds, or from any other sources, is under consideration.

SECTION 22. The salaries and/or supplements to salaries specified in this appropriations act shall be paid every two weeks.

SECTION 23. All appropriations herein made are subject to the right and authority of the Union County Delegation to change, alter, increase, deduct therefrom, or transfer funds from one item and/or account to another at any time, without notice, when in its judgment and discretion such change, alteration, transfer, increase or deduction is necessary to conform with revenue expected during the life of this act for the best interest of the county.

SECTION 24. This act is continuous and of continuous force and continuing into the future until changed by a repealing act of the General Assembly of the State of South Carolina.

SECTION 25. If any section, subsection, paragraph, sentence, phrase, clause, word or provision of this act shall be held unconstitutional or invalid for any reason, the same shall not affect, impair or invalidate any of the remaining sections, subsections, paragraphs, sentences, phrases, clauses, words or provisions of this act.

SECTION 26. The Union County Legislative Delegation may appoint a county development board of three members and appoint a county director for industrial development.

The delegation may authorize the expenditure of the necessary funds to carry out the provisions of this section.

The delegation may by unanimous agreement in writing authorize the expenditure of money for industrial promotion and development.

SECTION 27. This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1965.

(R375, S294) **No. 720**

An Act Authorizing The Treasurer Of Williamsburg County To Expend Monies From The Surplus Fund For Hospital Purposes.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Williamsburg County may expend funds for hospital purposes.—The Treasurer of Williamsburg County is authorized to expend from the surplus fund of the county during the fiscal year 1965-1966 not exceeding thirty-five thousand dollars for the Williamsburg County Memorial Hospital upon written authorization of the legislative delegation.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of May, 1965.

(R500, H1726) **No. 721**

An Act To Authorize the Williamsburg County Board Of Education To Borrow Not Exceeding One Hundred Fifty Thousand Dollars To Be Used For School Purposes, And To Provide For The Payment Of Such Loan.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Williamsburg County Board of Education may borrow money.—The Williamsburg County Board of Education is hereby authorized to borrow not exceeding one hundred fifty thousand dollars from the Division of General Services, or any other lending agency at the lowest interest rate available, for the purpose of constructing additional facilities, making additions to existing buildings, or for equipping such facilities for school purposes. The amount

borrowed shall be evidenced by a note to be executed by each member of the board. The note shall bear interest at not exceeding four per cent per annum from the date thereof, interest to be paid annually, and shall be payable in five equal, annual installments, with the right to anticipate payment thereof at any annual interest-paying period.

SECTION 2. Payment.—The board shall pledge the annual grant from the State Educational Finance Commission for the repayment of the loan and the interest thereon.

SECTION 3. Payment further.—As additional security for the loan, in the event the annual grant to the school district by the State Educational Finance Commission shall be insufficient to pay the principal and interest on the loan, the Auditor of Williamsburg County shall levy, and the Treasurer of Williamsburg County shall collect, an annual tax upon all of the taxable property of the district sufficient to retire the loan and the interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note, inclusive of interest, in full, at which time the levy provided herein shall be terminated. In the event the school district may receive or have on hand any funds not otherwise pledged nor designated for a particular use, such funds may be used for payment of the loan and interest thereon.

SECTION 4. Payment further.—Should the money be borrowed from the Division of General Services and should there be default in any payment, the State Treasurer shall withhold all state funds accruing to the district and transmit such funds to the Division of General Services.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of June, 1965.

(R74, H1189) **No. 722**

An Act To Extend The Open Season For The Hunting Of Quail In York County For The Year 1965 Only.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Quail season for York County.—Notwithstanding any other provision of law to the contrary, the open season for the

hunting of quail in York County shall be to and including March first for the year 1965 only.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of February, 1965.

(R77, H1194) **No. 723**

An Act Making Supplemental Appropriations For York County For The Fiscal Year 1964-1965.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The following supplemental appropriations are hereby made from the General Fund of York County for the purposes shown for the fiscal year 1964-1965:

Supervisor's Office, Grading, Maintenance, etc	$ 27,000.00
For Contingent Fund	3,000.00
Total	$ 30,000.00

SECTION 2. This act shall take effect upon approval by the Governor.

Approved the 19th day of February, 1965.

(R78, H1195) **No. 724**

An Act Authorizing The Children's Nature Museum Commission Of York County To Borrow Fifty Thousand Dollars From The York County Sinking Fund Commission, To Sell Certain Property And To Provide For The Use Of Such Funds.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Children's Nature Museum of York County may borrow money.—The Children's Nature Museum Commission of York County is hereby authorized to borrow the sum of fifty thousand dollars from the York County Sinking Fund Commission at a rate of interest not to exceed three per cent per annum.

SECTION 2. Museum may sell property.—The Children's Nature Museum Commission is hereby authorized and empowered to sell, for such sums and upon such terms as it may see fit, any part or all of its property, real or personal, in the City of Rock Hill, and to terminate or assign contracts relating thereto, in order to realize other funds and to transfer its operations to a new museum building.

SECTION 3. Use of funds.—The funds realized from the activities hereby authorized shall be used by the Children's Nature Museum Commission for the erection of a new museum building. In addition, the commission is hereby authorized to use any other funds at its disposal for the erection of the new building, including, but not limited to, any funds accumulated by the commission over a period of years realized by expending less for maintenance, operation and upkeep than the income provided by the one mill property tax authorized by Section 4 of Act No. 1123 of 1956.

SECTION 4. Note—payment.—The loan herein authorized shall be evidenced by a written promissory note calling for repayment in annual installments of five thousand dollars, to be applied first to interest, then to principal. The first payment shall be made not later than the first day of July following the date of the note, and a like payment shall be made not later than the first day of each July thereafter, until the full amount including interest is paid. The note may also contain a prepayment privilege to be exercised at the option of the Children's Nature Museum Commission. The commission may repay the loan hereby authorized from any funds at its disposal, including, but not limited to, the revenues provided by the one mill property tax authorized by Section 4 of Act No. 1123 of 1956.

SECTION 5. Payment further.—The Treasurer of York County shall withhold from any payments made by him to the Children's Nature Museum Commission sufficient amounts to insure that the above note is current, and shall remit such funds directly to the Sinking Fund Commission to be credited against the note.

SECTION 6. Execution of note.—The chairman and members of the Children's Nature Museum Commission shall execute the note to evidence this loan in their official capacities, and the Sinking Fund Commission shall fix the rate of interest thereon.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of February, 1965.

(R96, H1238) **No. 725**

An Act Providing For The Creation Of Watershed Conservation Districts In York County, And The Election Of Directors Of Watershed Conservation Districts And Their Powers And Duties; And Providing For A Levy Of Taxes For The Organization And Administration Of Such Districts, And For The Construction, Operation And Maintenance Of Works Of Improvement Within Such Districts.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Definitions.—Whenever used or referred to in this act, unless a different meaning clearly appears from the context:

(1) "Watershed conservation district" means a governmental subdivision of this State, and a public body corporate and politic, organized in accordance with the provisions of this act, for the purposes, with the powers, and subject to the restrictions hereinafter set forth.

(2) "Director" means one of the members of the governing body of a watershed conservation district, elected in accordance with the provisions of this act.

(3) "Supervisor" means one of the members of the governing body of the Catawba Soil Conservation District in which any part of a watershed conservation district is situated.

(4) "Petition" means a petition filed under the provisions of Section 4 of this act for the creation of a watershed conservation district.

(5) "County" means York County of South Carolina.

(6) "Landowner" or "owner of land" includes any person, firm or corporation who shall hold legal or equitable title to any lands lying within a watershed conservation district organized under the provisions of this act.

(7) "Due notice" means notice published at least twice, with an interval of at least one week between the two publication dates, in a publication of general circulation within the appropriate area, or, if no such publication of general circulation be available, notice posted at a reasonable number of conspicuous places within the appropriate area, such posting to include, where possible, posting at public places where it is customary to post notices concerning county or municipal affairs generally.

SECTION 2. Watershed conservation Districts may be formed in York County.—Authority is hereby granted to form watershed conservation districts within York County for the purpose of develop-

ing and executing plans and programs relating to any phase of the control and prevention of soil erosion, flood prevention, or the conservation, development, utilization, and disposal of water.

SECTION 3. Area.—The area embraced in a watershed conservation district must be contiguous and must lie within a well-defined watershed; and such area shall not include lands located within the boundary of any incorporated city or town, or lands embraced in another watershed conservation district.

SECTION 4. Petition for formation.—When twenty-five or more landowners within a proposed watershed conservation district, or, if less than fifty landowners are involved, a majority of such landowners, desire to form a watershed conservation district, they shall file a petition with the supervisors of the soil conservation district asking that a watershed conservation district be organized to function in the area described in the petition. Such petition shall set forth the proposed name of the watershed conservation district; that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory described in the petition; a description of the territory proposed to be organized as a watershed conservation district, which description need not be given by metes and bounds or by legal subdivisions, but shall be deemed sufficient if generally accurate; and the approximate number of acres of land included in the proposed watershed conservation district.

SECTION 5. Hearing on petition.—(1) Within thirty days after such petition has been filed with the supervisors of the soil conservation district, they shall cause due notice to be given of a hearing upon the question of the desirability and necessity, in the interest of the public health, safety, and welfare, of the creation of such watershed conservation district. All interested parties shall have the right to attend such hearing and to be heard. If it shall appear at the hearing that other lands should be included in the petition or that lands included in the petition should be excluded, the supervisors shall permit such inclusion or exclusion, provided the land area involved still meets the requirements of Section 3 of this act.

(2) If it appears upon the hearing that it may be desirable to include within the proposed watershed conservation district territory outside of the area within which due notice of the hearing has been given, the hearing shall be adjourned and due notice of a further

hearing shall be given throughout the entire area considered for inclusion in the proposed watershed conservation district, and such further hearing shall be held. After final hearing, if the supervisors of the soil conservation district determine, upon the facts presented at the hearing and upon other available information, that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory considered at the hearing, they shall make and record such determination, and shall define the area, but the description need not be given by metes and bounds. The description shall be deemed sufficient if generally accurate and the approximate number of acres of land included in the proposed watershed conservation district is shown.

(3) If the supervisors of the soil conservation district determine after such hearing that there is no need for a watershed conservation district to function in the territory considered at the hearing, they shall make and record such determination and shall deny the petition.

SECTION 6. Referendum.—After the supervisors of the soil conservation district have made and recorded a determination that there is need, in the interest of the public health, safety and welfare, for a watershed conservation district to function in the territory considered at the hearing, and have defined the boundaries thereof, they shall consider the question whether the operation of a watershed conservation district within the proposed boundaries with the powers conferred upon it by this act is administratively practicable and feasible. To assist the supervisors in making this determination, they shall, within a reasonable time after the entry of a finding that there is need for the organization of a watershed conservation district and the determination of the boundaries thereof, hold a referendum within the proposed watershed conservation district upon the proposition of the creation of the watershed conservation district. Due notice of the referendum shall be given by the supervisors. Such notice shall state the date of holding the referendum, the hours of opening and closing the polls, and shall designate one or more places within the proposed watershed conservation district as polling places and shall give notice that the directors shall have the power of eminent domain. The supervisors shall have full charge of the referendum and shall have suitable ballots printed and furnished to each polling place; appoint necessary box managers and other referendum officials, and shall canvass the ballots and announce the results. The cost of holding the referendum shall be paid from the general fund of York County.

Provided, that notwithstanding any provision of law to the contrary the power of eminent domain shall not be exercised over the protest of any landowner until it is conclusively established that the land proposed to be condemned is absolutely essential to the creation and operation of the watershed conservation district.

SECTION 7. Question.—The question to be voted on shall be submitted by ballots upon which appear the words:

"For creation of ———— Watershed Conservation District"

"Against creation of ———— Watershed Conservation District"

A square shall follow each proposition. The ballot shall contain a direction to insert an "X" mark in the square following one or the other of the propositions as the voter may favor or oppose creation of the watershed conservation district. The ballot shall set forth the boundaries of the proposed watershed conservation district as determined by the supervisors of the soil conservation district. No one except owners of lands lying within the boundaries of the proposed watershed conservation district, as determined by the supervisors of the soil conservation district, shall be eligible to vote in the referendum. Qualified voters may vote by absentee ballot in the referendum under such rules and regulations as may be prescribed by the supervisors. No informalities in the conduct of the referendum or in any matters relating thereto shall invalidate the referendum or the result thereof if notice of the referendum shall have been given substantially as herein provided and the referendum shall have been fairly conducted.

SECTION 8. Results—district to be created if results and determination favorable.—The votes shall be counted by the referendum officials at the close of the polls and a report of the results along with the ballots shall be delivered and certified to the supervisors of the soil conservation district; and thereafter the supervisors shall determine whether the operation of the watershed conservation district within the defined boundaries is administratively practicable and feasible. If the supervisors determine that the operation of such district is not administratively practicable and feasible, they shall record such determination and deny the petition. If the supervisors determine that the operation of such district is administratively practicable and feasible, they shall record such determination and shall proceed with the organization of such district in the manner hereinafter set forth; *provided,* however, that the supervisors shall not have authority to determine that the operation of such district is administratively practicable and feasible unless at least a majority of the votes cast in the

referendum upon the proposition of the creation of such district shall have been cast in favor of the creation of such district. If the supervisors shall determine that the operation of such district is administratively practicable and feasible, they shall certify such determination to the Clerk of Court of York County, the Code Commissioner and to the Secretary of State. Upon proper recordation of such determination, such watershed conservation district shall constitute a governmental subdivision of this State and a public body corporate and politic. After being recorded, such certification shall be filed with the State Soil Conservation Committee.

SECTION 9. Board of directors to govern district—nominating petitions—election—ballots—terms—officers—bond of treasurer. —(1) The governing body of the watershed conservation district shall consist of five directors, elected as provided herein.

(2) Within thirty days after a watershed conservation district has been created, nominating petitions may be filed with the supervisors of the soil conservation district to nominate candidates for directors of the watershed conservation district. No such nominating petition shall be accepted by the supervisors unless it is signed by twenty-five or more landowners within the watershed conservation district, or, if less than fifty landowners are involved, by a majority of such landowners. If the candidates nominated do not exceed the number of directors to be chosen, the supervisors shall declare them to be elected. No person shall be eligible to be a director of a watershed conservation district who is not a landowner in the watershed conservation district in which he seeks election.

(3) If the candidates nominated for directors of the watershed conservation district exceed the number of directors to be chosen, the supervisors of the soil conservation district shall, after having given due notice thereof, cause an election to be held within the watershed conservation district within a reasonable time after the expiration of the nominating period. The provisions of Sections 5, 6 and 7 of this act as to notice, qualifications of voters, absentee voting, and the manner of holding the referendum in organizing a watershed conservation district, shall apply insofar as practicable to the election of the directors. The names of all qualified nominees shall be printed in alphabetical order upon ballots with a square before each name and a direction to insert an "X" mark in the square before any five names to indicate the voter's preference. Only landowners within the watershed conservation district shall be eligible to vote in the election. The

five candidates who shall receive the largest number respectively of the votes cast in the election shall be the directors of the watershed conservation district, and shall, upon the supervision of the supervisors of the soil conservation district, be the governing body of the watershed conservation district.

(4) Of the directors first elected, the two receiving the largest number of votes shall serve for terms of four years, the two receiving the next largest number of votes shall serve for terms of three years, and the one receiving the next largest number of votes shall serve for a term of two years. The term of office of each of their successors shall be for four years. Any vacancy shall be filled for the unexpired term as provided to original directors.

(5) The directors shall annually designate from among their number a chairman, secretary, and treasurer. The treasurer shall execute an official bond for the faithful performance of the duties of his office, to be approved by the directors. Such bond shall be executed by a surety company authorized to do business in this State and shall be in an amount determined by the directors. The premium on each bond shall be paid by the watershed conservation district.

SECTION 10. District to be corporate body—powers and duties.—A watershed conservation district organized under the provisions of this act shall constitute a governmental subdivision of this State, and a public body corporate and politic, exercising public powers, and such district and the directors thereof shall, subject to the approval of the supervisors of the soil conservation district, have the following powers, in addition to others granted in other sections of this act:

(1) To acquire, by purchase, exchange, lease, gift, grant, bequest, devise, or otherwise, or through condemnation proceedings in the manner provided in Sections 25-101 through 25-140 and Sections 33-121 through 33-148, Code of Laws of South Carolina, 1962, such lands, easements, or rights-of-way as are needed to carry out any authorized purpose of the watershed conservation district; and to sell, lease, or otherwise dispose of any of its property or interest therein in furtherance of the purposes and provisions of this act;

(2) To construct, reconstruct, repair, enlarge, improve, operate, and maintain such works of improvements as may be necessary or convenient for the performance of any of the operations authorized by this act;

(3) To borrow money and to execute promissory notes and other evidences of debt in connection therewith for payment of the costs

and expenses of organizing the watershed conservation district for carrying out any authorized purpose of such district, and if promissory notes are issued, to execute such mortgages on any property owned by such district, or assign or pledge such revenues or assessments of such district as may be required by the lender as security for the repayment of the loan; and to issue, negotiate, and sell its bonds as provided in Section 11 of this act;

(4) To levy an annual tax on the real property within the district subject to the limitations provided in Section 13 of this act for payment of the costs and expenses of organizing the watershed conservation district or for carrying out any authorized purpose of such district. Such levy shall be made only after approval by the supervisors of the soil conservation district and upon notifying the county auditor.

SECTION 11. Bonds not to be issued unless referendum held. —(1) Bonds authorized by Section 10 of this act shall not be issued until proposed by order or resolution of the directors of the watershed conservation district, specifying the purpose for which the funds are to be used and the proposed undertaking, the amount of bonds to be issued, the rate of interest they are to bear, and the amount of any necessary tax levy in excess of the maximum authorized in Section 13 of this act. A copy of the order or resolution shall be certified to the supervisors of the soil conservation district.

(2) The supervisors shall hold a hearing on such proposal after having given due notice. If it appears that the proposal is within the scope and purpose of this act and meets all other requirements of the law, the proposal shall be submitted to the landowners of the district by a referendum held by the supervisors.

(3) The provisions of Sections 5, 6 and 7 of this act as to notice, qualifications of voters, absentee voting, and manner of holding the referendum in organizing a watershed conservation district shall apply to the referendum held under this section.

(4) If two-thirds of the votes cast in such referendum favor the proposal, the directors shall, with the approval of the supervisors, be authorized to issue such bonds.

SECTION 12. Compensation.—The directors of the watershed conservation district shall receive no compensation for their services, but they may be reimbursed for expenses, including traveling expenses, necessarily incurred in the performance of their duties as approved by the supervisors of the soil conservation district.

SECTION 13. Budget—tax levy.—Within the first quarter of each calendar year, the directors of the watershed conservation district shall prepare an itemized budget of the funds needed for administration of the watershed conservation district and for construction, operation and maintenance of works of improvement. After approval of such budget by the supervisors of the soil conservation district, the county auditor shall levy a tax sufficient to meet such budget on all real property within the watershed conservation district of not to exceed five mills on each dollar of assessed valuation, except that this limitation shall not apply to any levy necessary to provide a sinking fund for the retirement of bonds authorized by Section 11 of this act. A copy of such budget shall be certified to the Auditor of York County.

SECTION 14. List of landowners and acres subject to assessment.—(1) The directors of the watershed conservation district with the assistance of the county auditor shall prepare a list of the landowners involved showing the number of acres subject to assessment.

(2) When the property tax rolls are delivered to the county treasurer by the county auditor, as required by law, the county treasurer shall compute the tax due the watershed conservation district from each landowner in accordance with the rate fixed by the directors and the value of the real property indicated on the tax roll. The computation shall be made on the regular tax bills.

SECTION 15. Collection of taxes.—(1) The county treasurer shall collect the taxes due the watershed conservation district at the same time and in the same manner as he collects other taxes of the county.

(2) The taxes shall be subject to the same due and delinquency dates, discounts, penalties and interest as are applied to the collection of county taxes.

SECTION 16. Expenditures.—Tax funds collected shall be transferred to and held by the treasurer of the watershed conservation district for the specific purpose for which they have been collected. All expenditures of such funds shall be made by the directors of the watershed conservation district with the approval of the supervisors of the soil conservation district.

SECTION 17. Petition to have lands detached.—The owners of lands which have not been, are not and cannot be benefited by their

inclusion in the watershed conservation district may petition the supervisors of the soil conservation district to have such lands detached. The petition shall describe such lands and state the reasons why they should be detached. A hearing shall be held by the supervisors within thirty days after the petition is filed and due notice of such hearing shall be given by the supervisors. If it is determined by the supervisors that such lands shall be detached, such determination shall be certified to the Auditor of York County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee.

SECTION 18. Petition for discontinuance of district—hearing—referendum—discontinuance if election and determination favorable.—(1) At any time after five years after the organization of a watershed conservation district, twenty-five or more landowners within such district, or if less than fifty landowners are involved, a majority of such landowners, may file a petition with the supervisors of the soil conservation district asking that the existence of the watershed conservation district be discontinued. The petition shall state the reasons for discontinuance, and that all obligations of the watershed conservation district have been met. The supervisors may conduct such hearings upon the petition as may be necessary to assist them in the consideration thereof.

(2) Within sixty days after petition has been filed with the supervisors they shall give due notice of the holding of a referendum. The supervisors shall hold such referendum substantially as provided for in Section 11 of this act. The question shall be submitted by ballots upon which the words "For terminating the existence of the ——— ——— Watershed Conservation District" and "Against terminating the existence of the ——— Watershed Conservation District" shall be printed, with a square before each proposition and a direction to insert an "X" mark in the square before one or the other of the propositions as the voter may favor or oppose the discontinuance of such watershed conservation district. Only landowners within the watershed conservation district shall be eligible to vote in such referendum. No informality in the conduct of the referendum or in any matters relating thereto shall invalidate the referendum or the results thereof if notice of the referendum shall have been given substantially as herein provided and the referendum shall have been fairly conducted.

(3) The supervisors shall publish the results of the referendum and shall thereafter determine whether the continued operation of the

watershed conservation district is administratively practicable and feasible. If the supervisors determine that the continued operation of the watershed conservation district is administratively practicable and feasible, they shall record such determination and deny the petition. If the supervisors determine that the continued operation of the watershed conservation district is not administratively practicable and feasible, they shall record such determination and shall certify such determination to the directors of the watershed conservation district; *provided,* however, that the supervisors shall not be authorized to determine that the continued operation of the watershed conservation district is administratively practicable and feasible unless at least a majority of the votes cast in the referendum shall have been cast in favor of the continuance of the watershed conservation district.

(4) Upon receipt from the supervisors of a certification that they have determined that the continued operation of the watershed conservation district is not administratively practicable and feasible, the directors shall forthwith proceed to terminate the affairs of the watershed conservation district. A copy of the determination shall be certified to the Auditor of York County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee.

SECTION 19. Supervisory authority if district discontinued.—If the Catawba Soil Conservation District is discontinued, all supervisory authority over the affairs of the watershed conservation district which was previously exercised by the supervisors shall thereafter be exercised by the governing body of York County.

SECTION 20. Not to affect existing districts.—The provisions of this act shall not affect any existing watershed conservation district in York County.

SECTION 21. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of February, 1965.

(R269, H1500) **No. 726**

An Act To Amend Act No. 919 Of 1938, As Amended, Relating To The York General Hospital At Rock Hill, South Carolina, So As To Further Provide For The Hospital Medical Staff.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 12 of Act 919 of 1938 amended—regulations for practicing medicine at York General Hospital.—Section 12 of Act No. 919 of 1938 is amended by striking it out and inserting in lieu thereof the following:

"Section 12. All physicians licensed to practice medicine in this State and residing in York County shall have the privilege of practicing medicine in the Hospital. By accepting this privilege, all members of the Hospital Medical Staff shall comply with all the rules and regulations established by the Hospital Medical Staff. Any doctor who fails to do so shall be subject to review by the Medical Staff. If the offense warrants action by the Staff, it shall have the right to recommend to the Board of Trustees of the Hospital that such doctor be denied the privilege to practice medicine in the Hospital. The offending doctor shall have the right to appear before the Trustees for the purpose of presenting his explanations concerning his acts or failure to act. The Trustees shall rule on the matters and if just cause is shown the offending doctor shall thereafter be denied privileges of practicing medicine in York General Hospital. Upon failure to show just cause by the Staff, such doctor's privileges shall be confirmed by the Board of Trustees."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1965.

(R315, H1497) **No. 727**

An Act Making Supplemental Appropriations For York County For The Fiscal Year 1964-1965.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The following supplemental appropriations are hereby made from the General Fund of York County for the purposes shown for the fiscal year 1964-1965:

Maintenance and Supplies—Jail	$ 1,400.00
Dieting Prisoners in Jail	1,400.00
Maintenance, Courthouse, Agriculture Building and Office Buildings	11,400.00
Dieting Magistrates' Prisoners	1,000.00
Magistrates' Offices	1,000.00
Contingent Fund	7,000.00
Jurors and Witnesses	7,000.00
TOTAL	$ 30,200.00

SECTION 2. This act shall take effect upon approval by the Governor.

Approved the 22nd day of April, 1965.

(R481, H1714)

No. 728

An Act To Amend Act No. 544 Of The Acts And Joint Resolutions Of South Carolina Of 1959, As Amended, Authorizing The Continuance Of The Special One Mill Levy Of York County, So As To Authorize The Governing Body Of York County To Borrow Certain Money Provided That The Levy Shall Be Used To Retire Such Loan.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 1 of Act 544 of 1959 amended—York County may borrow money—continue special levy for payment.— Section 1 of Act No. 544 of 1959, as amended, is further amended to read as follows:

"Section 1. The York County Sinking Fund Commission is authorized to make a loan in the amount of seventy-five thousand dollars to the governing body of York County for the purpose of paying for two road motor graders, six new dump trucks and to defray the cost of repairing other equipment of York County at the York County Prison Camp. The loan of the York County Sinking Fund Commission, authorized by Act No. 675 of 1963, having been paid in full, the auditor and treasurer of York County are hereby authorized to continue the special levy heretofore used to retire that indebtedness and to apply the proceeds to the retirement of the

loan authorized by this act. The levy shall continue in force until the loan is paid in full, but the levy shall not be continued in excess of three years."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 27th day of May, 1965.

(R606, H1855) **No. 729**

An Act To Authorize York County To Convey Certain Property To The Watt Blackmon V. F. W. Post No. 6381.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. York County may convey certain property.—The County Board of Commissioners of York County is hereby authorized to convey to the Watt Blackmon V. F. W. Post No. 6381 that parcel of land containing 2.24 acres, more or less, as shown on deed from Hickory Grove Cotton Warehouse to York County dated February 15, 1951 and recorded April 5, 1951 in Deed book 169, page 354, in the Clerk of Court's Office for York County.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of June, 1965.

(R666, H1870) **No. 730**

An Act To Provide For The Levy Of Taxes For York County For The Fiscal Year Beginning July 1, 1965, And Ending June 30, 1966, For School, County And Other Purposes; To Direct The Expenditure Thereof; To Prescribe The Powers, Duties And Authorities Of Various Officials Of The County; To Authorize And Direct The County Treasurer To Transfer Certain Funds; And To Authorize The York County Board Of Directors To Borrow And The York County Sinking Fund Commission To Lend Certain Money And To Provide For The Repayment Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. For the fiscal year beginning July 1, 1965, the following sums of money, if so much be necessary, are hereby appropriated from the General Fund in the Treasury of York County to meet the ordinary expenses of the county as hereinafter indicated:

Item 1. Supervisor and County Board of Directors:

Salaries:	
Supervisor	$ 6,800.00
Clerk	4,068.50
Assistant Clerk	3,862.50
Five directors, one hundred dollars each per month	6,000.00
Service and supplies	1,400.00
Directors' travel expense, not to exceed $25.00 per month each	1,500.00
Total, Item 1	$ 23,631.00

Item 2. County Prison Farms:

Salaries:	
Superintendent	$ 4.480.50
Six guards at $260.00 per month each	18,720.00
Provided, that board and lodging shall be furnished in addition to salaries above.	
Maintenance of Prison Camp	40,000.00
Maintenance of County Roads	95,000.00
Provided, that not more than one-half of the above two appropriations shall be obligated or spent prior to January 1, 1966.	
Nine patrol operators at $306.50 per month each	33,102.00
Supervisor—travel for actual mileage driven on county business at 9¢ per mile, if so much be necessary	2,000.00
Provided, all county equipment shall be kept at the prison camp at night, on Sundays and holidays, and at all other times when not in actual use on county work except when in the opinion of the Supervisor it is more feasible to leave same at job sites.	
Provided, further, that it shall be unlawful for any person not an inmate or any person not em-	

ployed directly at the prison camp to eat any meals at or carry away any food from the York County Prison Camp, and it shall be the duty of the superintendent of the chain gang to enforce this provision. Any violation of this provision shall be deemed a misdemeanor and punishable by a fine not exceeding one hundred dollars, or imprisonment for not exceeding thirty days.

	Total, Item 2	$193,302.50
Item 3.	Sheriff's Office:	
	Salaries:	
	Sheriff	$ 6,800.00
	Deputy Sheriff	4,665.90
	Clerk	3,400.00
	Expense, outside county	1,000.00
	Gas, oil, upkeep auto and radio	1,500.00
	Office supplies, phone, box rent	600.00
	Salaries, expenses and equipment for county police operation	125,600.00
	Radio and jail services—Town of Clover	1,500.00
	Radio and jail services—Town of Ft. Mill	1,500.00
	Replace five radios	3,500.00

Provided, the Sheriff of York County is authorized and empowered to appoint and employ seventeen county policemen to serve under his direction and supervision, and each of the county policemen shall be paid a monthly salary as follows: new employee, first six months, $310.00; new employee, after six months, $337.50; new employee after one year, $363.00. In addition thereto the sheriff shall appoint and employ a captain of the York County Police, who shall be second in command of the county police, and who shall be paid a monthly salary of $461.00. The captain shall have supervision and control of the county police and all personnel of the York County Police Department in the event of the absence or inability of the sheriff to act for any reason. *Provided,* further, the Sheriff of York

County shall appoint and employ one clerk to assist in the administrative and clerical work connected with the department and perform such other duties as may be assigned to him. *Provided,* further, that the sheriff shall be allowed to give credit for experience in other law enforcement in computing time in grade.

Provided, further, that the sheriff may pay to each deputy sheriff the sum of $25.00 per month as expenses.

Provided, further, an officer shall serve primarily as liaison officer between the Sheriff's office and the Criminal, Juvenile and Domestic Relations Court of York County; *provided,* further, the Sheriff of York County may designate and appoint two officers of his present staff as sergeants with additional compensation of each at $10.00 per month to serve as detectives with his office.

	Total, Item 3	$150,065.90
Item 4.	County Jail:	
	Salary, Jailor	$ 3,400.00
	Salary, part time jailor	580.00
	Dieting prisoners at one dollar twenty-five cents per day	8,750.00
	Maintenance and supplies	3,000.00
	Repairs	700.00
	Total, Item 4	$ 16,430.00
Item 5.	Maintenance of Courthouse, Agriculture Building and Rock Hill Office Building	$ 30,000.00

Provided, no janitor or janitor's assistant shall be paid more than forty dollars per week.

Provided, further, that prison labor shall be used where feasible during the daylight hours, except Sundays.

Provided, further, there may be one superintendent of the Rock Hill Office Building and at York there may be one superintendent of the Agriculture Building and York County Court-

house, at salaries not exceeding $3,400.00 each, and one helper for each building.

Provided, further, that the expenditures herein shall be under the supervision of the supervisor and the board of directors, or a majority thereof.

Total, Item 5 ..... $ 30,000.00

Item 6. Clerk of Court's Office:

Salaries:

Clerk of Court	$ 7,400.00
Register of deeds	5,200.00
First Deputy Clerk	4,017.00
Second Deputy Clerk	3,600.00
Clerk	3,400.00
Clerk	3,400.00
Clerk	3,400.00
Extra clerical help, not to exceed	1,800.00
Service and supplies	16,200.00
Jurors, witnesses and bailiffs, and court crier	25,000.00

Provided, jurors shall receive eight dollars per day and mileage allowed by law; witnesses, two dollars per day and mileage; and bailiffs, eight dollars per day; and that no federal, State or municipal official or employee shall receive any compensation from the county for appearing as a witness in any court in York County.

Provided, further, that jurors reporting on opening day of General Sessions Court for the purpose of seeking relief from jury duty shall receive no mileage or per diem. *Provided,* further, the clerk of court shall not receive any additional pay for services as Clerk of the Criminal, Juvenile and Domestic Relations Court of York County.

Provided, further, that it shall be the duty of the deputy clerk designated as register of deeds to record all deeds, mortgages, chattel mortgages, contracts of purchase and sale, leases and similar instruments (exclusive of papers filed or to be recorded in civil actions) only after

the fees for recording same have been paid including any necessary State and Federal Revenue Stamps.

	Total, Item 6	$ 73,417.00
Item 7.	Auditor's Office:	
	Salaries:	
	Auditor	$ 2,600.00
	First Deputy Auditor	4,068.50
	Clerk	3,400.00
	Clerk, Rock Hill, Part time	660.00
	Services and Supplies	1,450.00
	Equalization Board	2,000.00
	Mapping Section:	
	Salaries:	
	Mapping Director	4,511.50
	Clerk	3,400.00
	Supplies and Mileage	1,000.00
	Provided, the clerk employed in the Mapping Section shall work between the office of the Auditor and the office of the Mapping Director at the direction of the Auditor.	
	Provided, the total salary of the Auditor shall not exceed $6,800.00.	
	Total, Item 7	$ 23,090.00
Item 8.	Treasurer's Office:	
	Salaries:	
	Treasurer	$ 2,600.00
	Deputy Treasurer	4,068.50
	Assistant Deputy Treasurer	4,068.50
	Clerk	3,400.00
	Revolving Fund	100.00
	Services and Supplies	1,350.00
	Provided, that all fees collected by the Treasurer by virtue of his office shall be turned in to the general fund of the county.	
	Provided, the total salary of the Treasurer shall not exceed $6,800.00.	
	Total, Item 8	$ 15,587.00

Item 9.	Judge of Probate's Office:	
	Salaries:	
	Judge of Probate	$ 6,800.00
	Clerk	4,068.50
	Clerk	3,862.50
	Office supplies, premium on bond, stamps, box rent and telephone	2,000.00
	Total, Item 9	$ 16,731.00
Item 10.	Tax Collector's Office:	
	Salaries:	
	Tax Collector	$ 3,320.00
	Deputy Tax Collector	3,320.00
	Clerk	3,862.50
	Bond for Tax Collector, Deputy and Clerk	270.00
	Stationery, services, supplies, box rent and postage	600.00
	Total, Item 10	$ 11,372.50
Item 11.	County Veterans' Service Office:	
	Service Officer	$ 5,200.00
	Clerk	3,400.00
	Clerk	3,400.00
	Expenses, Service Officer	2,750.00
	Total, Item 11	$ 14,750.00
Item 12.	Coroner's Office:	
	Salary, Coroner	$ 1,800.00
	Expenses of inquests, office supplies and services	600.00
	Total, Item 12	$ 2,400.00
Item 13.	Department of Public Welfare:	
	Emergency relief—including care of homeless children	$ 6,000.00
	Telephones	1,200.00
	Assistant Clerk for purpose of investigating applicants for free school lunch	1,000.00
	Supplement to County Board Members and Director	1,680.00

	Mileage at nine cents per mile for one child welfare worker	700.00
	Supplement for Case Work Supervisors	1,075.50
	Supplement for twenty-five Case Workers at $154.50 per year	3,862.50
	Total, Item 13	$ 15,518.00
Item 14.	Hospitalization:	
	For charity patients, Divine Savior Hospial	$ 4,000.00
	Provided, that all of this fund shall be used for charity cases in York County and that an itemized statement of the cost of each case shall be sent quarterly to the Board of County Directors.	
	Post mortems, inquests, lunacies and dental work	1,000.00
	County physician or physicians to be employed by the Supervisor and County Directors	1,000.00
	Total, Item 14	$ 6,000.00
Item 15.	National Guard:	
	Rock Hill Company	$ 400.00
	York Company	600.00
	Fort Mill Company	600.00
	Clover Company	600.00
	Bn. Headquarters, Rock Hill	600.00
	Total, Item 15	$ 2,800.00
Item 16.	Magistrates and Constables:	
	Magistrate, Bethel-Kings Mountain Townships	$ 2,266.00
	Telephone, Magistrate, Bethel-Kings Mountain Townships	125.00
	Magistrate, Bullock Creek-Broad River Townships	1,442.00
	Office rent, Bullock Creek-Broad River Townships	120.00
	Telephone, Magistrate, Bullock Creek-Broad River Townships	80.00
	Magistrate, York-Bethesda Townships	2,266.00
	Telephone, Magistrate, York-Bethesda Townships	125.00
	Office rent, York-Bethesda Townships	180.00

	Magistrate, Catawba-Ebenezer Townships	3,193.00
	Constable, Catawba-Ebenezer Townships	3,090.00
	Clerk, Catawba-Ebenezer Townships	3,400.00
	Telephone, office expenses, Magistrate, Catawba-Ebenezer Townships	1,100.00
	Magistrate, Fort Mill Township	2,266.00
	Constable, Fort Mill Township	1,462.60
	Telephone, Magistrate, Fort Mill Township ...	125.00
	Maintenance and janitor service, Magistrate's office—Fort Mill	300.00
	Maintenance and janitor service, Magistrate's office—Clover	300.00
	Provided, salaries above shall be paid in twelve equal monthly installments.	
	Provided, further, that the magistrates' reports required by law shall be made under oath.	
	Dieting prisoners in custody of magistrates other than in county jail, not to exceed fifty cents per meal for each person or a total of $1.50 per day for meals served	2,000.00
	Bond for magistrates and constables	125.00
	Total, Item 16	$ 23,965.60
Item 17.	Farm and Youth Work:	
	Demonstration material for Home Demonstration Agent and assistant .....$	100.00
	Boys' and Girls' 4-H Work	300.00
	York County Artificial Breeding Association ..	3,000.00
	County Farm Agent	330.00
	Telephone, Home Agent	312.00
	Negro Home Demonstration Agent	790.00
	Clerical help, Negro Farm and Home Agent ..	2,400.00
	Demonstration material, Negro Home Demonstration Agent	50.00
	Negro 4-H Work	100.00
	Telephone	100.00
	Provided, that the sum appropriated for York County Artificial Breeding Association shall not be further supplemented by county funds.	
	Total, Item 17 .....$	7,482.00

Item 18.	General County Expenses:	
	Telephone, Highway Patrol stationed in York County	$ 400.00
	Annual county audit	3,500.00
	County Attorney	3,000.00
	County Attorney, expense	200.00
	Secretary to Delegation at $40.00 per month	480.00
	Insurance for county employees at $4.80 per year	480.00
	Postage and metering machine and photostat machine	3,000.00
	Rescue Squad—Clover	150.00
	Rescue Squad—Fort Mill	150.00
	Rescue Squad—Rock Hill	150.00
	Rescue Squad—York	150.00
	York County Civil Defense	5,000.00
	Solicitor, Criminal, Juvenile and Domestic Relations Court	3,000.00
	Solicitor, expense	600.00
	York County Economic Opportunity Commission	2,000.00
	Mental Health Clinic	14,277.50
	Total, Item 18	$ 36,537.50
Item 19.	For care of indigent York County residents who are residing in nursing homes	$ 3,000.00
	Total, Item 19	$ 3,000.00
Item 20.	Retirement Fund, Social Security for county employees and police officers' retirement system	$ 46,000.00
	York County Teacher Retirement Fund	1,141.56
	Total, Item 20	$ 47,141.56
Item 21.	Board of Health	$ 29,889.00
	Total, Item 21	$ 29,889.00
Item 22.	Probation Officer:	
	Secretarial help	$ 1,946.70
	Secretarial help, Rock Hill office	530.00

	Telephone	150.00
	Office supplies	50.00
	Total, Item 22	$ 2,676.70
Item 23.	Criminal, Juvenile and Domestic Relations Court of York County:	
	Salaries:	
	Judge	$ 10,000.00
	Chief Probation Counselor	5,129.40
	Probation Counselor, male	4,820.40
	Probation Counselor, female	4,305.40
	Secretary and Court Recorder	3,790.40
	Clerk	3,400.00
	Mileage, supplies and expenses	6,000.00
	Provided, the Judge of this court may authorize use of a part of any specific salary to pay a part time worker when the position is not filled with a full time employee.	
	Total, Item 23	$ 37,445.60
Item 24.	York County Technical Education Center	$ 34,550.00
	Total, Item 24	$ 34,550.00
Item 25.	Contingent Fund	$ 25,000.00
	Provided, the money above appropriated shall be used only for such purposes as authorized by a majority of the legislative delegation at a regularly called meeting.	
	Provided, further, that the authorization shall be numbered consecutively and kept on file in the office of the supervisor, or such offices as a majority of the legislative delegation may direct, and the orders or authorizations shall require ratification at the next ensuing session of the General Assembly.	
	Total, Item 25	$ 25,000.00
	GRAND TOTAL	$842,782.86

Provided, the amount herein provided for salary of the sheriff, treasurer and clerk of court shall be in lieu of all fees, and the amounts herein provided shall be the salaries of such officers for all their services for the fiscal year beginning July 1, 1965.

For the purpose of meeting the appropriations herein made, the following receipts of York County are hereby allocated for such purposes, together with all other income not specifically allocated to other purposes. It is estimated that the following special revenue will accrue to the county during the fiscal year 1965-1966:

Insurance Commission Fees	$ 68,000.00
Fines, Fees and Licenses	175,000.00
Beer and Wine Tax	23,000.00
Whiskey Tax	86,000.00
Bank Tax	12,000.00
Service Officer	6,099.00
Income Tax	120,000.00
Delinquent Taxes	82,683.86
Total	$572,782.86
Estimated amount to be otherwise provided	$270,000.00

To further meet the appropriations contained herein the auditor is authorized and directed to levy a tax of nine mills upon the property of York County, and the treasurer is directed to collect the same, and to credit the proceeds to the several purposes for which appropriations are herein made. *Provided,* the levy for school textbooks in York County for the fiscal year 1965-1966 shall be two mills.

SECTION 2. The purchase of gasoline, oil and food for the use of the prison farm shall be made in wholesale quantities.

SECTION 3. In the Township of York, a special levy of two mills is hereby made as provided by the Code of Laws of South Carolina, 1962, the proceeds therefrom to be paid by the Treasurer of York County to the York Public Library, and the Auditor of York County is hereby directed to levy and the Treasurer of York County is directed to collect such tax.

SECTION 4. The appropriations herein provided shall not in any case be exceeded, and any contracts which may be made which in any manner provide for the expenditures of funds in excess of those provided herein shall not be binding upon York County, and it is specifically provided that any person selling supplies or other commodities or rendering service to the county is charged with the duty of ascertaining in advance whether or not the appropriations for that purpose are sufficient to pay the same; *provided,* that no revenue to be derived from any levy or appropriation made herein shall be expended or pledged prior to the beginning of the fiscal year 1965-1966. Any official violating the provisions of this section shall be liable under his bond.

SECTION 5. No money appropriated for any specific purpose under the provisions of this act shall be used for any other purpose than that named, without the written consent of a majority of the York County Legislative Delegation, obtained at a regularly called meeting.

SECTION 6. Any amount appropriated in this act may be discontinued at any time by order of a majority of the York County Legislative Delegation obtained at a regularly called meeting.

SECTION 7. In lieu of all countywide taxes now levied for school purposes, except those taxes levied for free textbooks and hot lunches, the auditor shall levy a tax of twenty mills to be used for the following purposes and distributed in the following manner: the proceeds from ten mills shall be distributed to all school districts in proportion to the ratio which each school district State aid for school teachers' salaries bears to the total school teachers' State aid for salaries in the county; the proceeds from ten mills shall be distributed to each high school or high school district in proportion to the ratio each high school or high school district's enrollment bears to the high school enrollment in the county.

Provided, however, that enrollment in parochial school or State-owned and operated schools shall not be counted and shall not be allowed the use of any of the proceeds of the tax imposed in this section.

Provided, further, that no school district shall impose a levy of more than ten mills on the property within the district, except to provide for the payment of interest on and retirement of bonded indebtedness, except upon the written approval of a majority of the

York County Legislative Delegation obtained at a regularly called meeting.

Provided, further, that the appropriations contained in this section shall be paid from the countywide tax for ordinary school purposes:

Salary—Clerk	$ 3,300.00
Salary—Librarian for School Textbooks	3,580.00
Travel for Attendance Supervisor—actual mileage driven on county business @ 9¢ per mile, if so much be necessary	800.00
Telephone, postals, box rent and office supplies	600.00
Handling School Lunch commodities—to be hauled on contract basis	5,000.00
Expenses—County Board of Education	720.00
York County Rural Library	4,930.42
Supplement — Administrative Secretary — County Board of Education	433.00
Supplement to State Funds—School Lunch Program	2,770.00
Travel — Administrative Secretary — County Board of Education, actual mileage on county business @ 9¢ per mile, if so much be necessary	400.00
Total	$ 22,533.42

The appropriations above made shall be in lieu of all shares in delinquent taxes collected.

SECTION 8. The county supervisor and the county board of directors, or a majority thereof, are hereby empowered to borrow in anticipation of the revenue hereinabove provided any sum not exceeding the amount appropriated and to not only pledge the revenue hereinabove provided but to pledge the full faith and credit of York County for the repayment of the same. The money shall be borrowed from the York County Sinking Fund Commission at a rate of interest not exceeding three per cent and shall be payable at such time and in such sums as is convenient to the county board of directors and the sinking fund commission, and the sinking fund commission is hereby directed to make such loans. *Provided,* that the supervisor and the county board of directors first obtain the written approval of such loan by a majority of the county legislative delegation at a regularly called meeting of the delegation.

SECTION 9. All county offices in York County Courthouse shall observe as holidays: Christmas Day; the working day immediately preceding Christmas Day and the working day immediately following Christmas Day; New Year's Day; Labor Day; Thanksgiving Day; and July Fourth.

SECTION 10. All orders heretofore made by the legislative delegation, reported to and certified by the clerk of the board of directors, arranged chronologically by date and numbered consecutively in such manner as to fully indicate to the delegation what orders were issued and authorized previously by the delegation, are hereby ratified and confirmed, and the appropriations therein contained are approved.

SECTION 11. The York County Board of Directors and the supervisor, or a majority thereof, may in their discretion approve salaries and deductions pertaining thereto, as provided by law, of county employees by a list or lists rather than separately.

SECTION 12. No tax abatement shall apply to levies necessary to pay debt service of county bonds.

SECTION 13. Any employee or officeholder violating any provision in this appropriations act shall forfeit his or her position of employment or the office they hold.

SECTION 14. The York County Attorney shall represent all agencies, boards, officials and subdivisions in York County, except municipalities, school districts and the York County Natural Gas Authority; *provided,* all such subdivisions, agencies or county officials are hereby specifically prohibited from expending any funds for the employment of any other attorney or attorneys.

SECTION 15. An audit shall be made annually, with a copy to be furnished to each member of the York County Legislative Delegation, and a copy to be filed with the Clerk of Court of York County, of all agencies, boards, bureaus, commissions and school districts of York County, where their activities are not covered by the annual York County audit.

SECTION 16. The county auditor shall cause to be prepared a statement showing for what the proceeds of all taxes levied in York County are to be used. A sufficient number shall be printed and furnished to the Treasurer of York County who is hereby directed to place one in each tax notice mailed out of the treasurer's office.

SECTION 17. The tax collector may call on the sheriff or any deputy sheriff of the county, and any constable in the county, to render him such aid and assistance as may be necessary, which shall be rendered without other costs than those provided by law, in the ejectment of any occupant or tenant in possession of any property at any time when ejectment shall be lawful and proper in the discharge of his duty as such officer.

SECTION 18. No tort claim against York County shall be paid by the board of directors or the supervisor except on written approval of the county attorney.

SECTION 19. This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1965.

RULES AND REGULATIONS

Adopted Under General And Permanent Laws Of The State Of South Carolina

FILED IN THE OFFICE OF THE SECRETARY OF STATE AS OF JUNE 30, 1965

Published Pursuant to Section 1-16, Code of Laws of South Carolina, 1962

Supreme Court Rules 1873

Agriculture Commissioner 1873

Architectural Examiners, Board of 1879

Clemson University 1879

Cosmetic Art Examiners, Board of 1879

Dairy Commission 1880

Education, State Board of 1884

Employment Security Commission 1888

Forestry Commission 1895

Health, State Board of 1897

Insurance Commission 1900

Mental Health Commission 1920

Nursing, Board of 1921

Optometry Examiners, Board of 1921

Pharmaceutical Examiners, Board of 1922

Public Service Commission 1922

Retirement System 1926

Tax Commission 1928

Water Pollution Control Authority 1930

Wildlife Resources Commission 1932

RULES AND REGULATIONS

RULES OF THE SUPREME COURT

Disciplinary Procedure

(Filed in the office of the Code Commissioner July 5, 1965)

It is ordered that the Rule on Disciplinary Procedure, adopted by this Court on May 31, 1958, be amended, effective September 18, 1965, by adding at the end thereof Section 34 which shall read as follows:

Any attorney who has been adjudicated incompetent, or had a committee appointed for him, by any court of competent jurisdiction, shall not be entitled to practice law. Upon a duly certified copy of any such order or decree, with respect to any such attorney, being filed with the Clerk of this Court, the Court shall issue its Order directed to such attorney requiring him to show cause before this Court, at a time specified therein, why he should not be suspended from the practice of law.

Any attorney whose license may be suspended under this Rule, may apply at any time to have his license reinstated upon showing that his legal disability has been judicially terminated; that he has recovered his mental health and that if reinstated he will have the mental and emotional stability and strength to properly perform his duties as an attorney.

AGRICULTURE COMMISSIONER

Additions to Regulation 4.
Meat and Meat Products

Promulgated under authority of Section 32-1525 of the 1962 Code

(Filed in the office of the Secretary of State July 2, 1964)

In accordance with authority granted in Section 32-1525 of the Code of Laws of South Carolina, 1962. the following Regulations are promulgated:

4.8 Beef or pork as an ingredient refers to muscular tissue of animal.

4.9 Any meat product carrying more than 3½% cereal and/or extenders must be labeled "Imitation". The word "Imitation" must precede the brand name and be of the same type and style as the other lettering on the label. Immediately following the brand name, a statement of all ingredients arranged in order of their predominance must be stated.

4.10 To prevent unnecessary labeling, beef and pork by-products are grouped into two categories each.

CATEGORY A includes trimmed tongues, hearts, livers and fat and may be designated on the label as beef or pork by-products, as the case may be.

CATEGORY B includes lips, tongue trimmings, spleens, tripe, tongues, skins, ears, snouts, kidneys, stomachs, and untrimmed pork jowls, and when used must be shown on the label, for example: Beef by-products and lips, tongue trimmings, snouts, stomachs, et cetera.

4.11 Meat products labeled simply as franks, weiners, beef or pork will be considered all meat products, as the law requires any meat product containing cereals and/or extenders, to be labeled "cereal and extenders added" if the maximum does not exceed 3½%, and if more than 3½%, be labeled as "Imitation", and the percentage of each shall be stated on the label.

The effective date of these Regulations shall be July 10, 1964.

Registering of Gasoline

(Filed in the office of the Secretary of State October 5, 1962)

Promulgated under authority of Section 66-415 of the 1962 Code

2(a). All manufacturers, jobbers, wholesalers, retailers and others who distribute gasoline at retail level and desire to designate the various grades or brands by numbers shall not display or use any number for the grade or grades or brand name other than the registered octane count for such grade or grades or brand name, **except where a legible statement is affixed to all pumps dispensing such grade or grades indicating that such number or numbers do not represent octane numbers;:**

Provided that such statement shall be readable at a reasonable distance from the dispensing pump or pumps and shall be affixed to the dispensing pump at a place thereon clearly visible to the occupant or driver of the vehicle buying the petroleum product. The statement indicating that such number or numbers do not represent or correspond to octane numbers shall be in letters no smaller than ¾ inches in size and shall be in a color that is in clear contrast with the background. For the purpose of complying with this regulation, a decal in size of not less than 6" x 7" affixed to the dispensing pump or pumps shall be deemed a sufficient compliance.

This same requirement shall apply to any form of advertising, such as billboards, posters, banners, and newspaper advertisements, which advertisement shall include a statement that the numbers used do not indicate or represent the actual octane.

The effective date of this regulation shall be July 10, 1964.

Concentrated Commercial Feeding Stuffs

(Filed in the office of the Secretary of State October 9, 1964)

Promulgated under authority of Section 3-608 of the 1962 Code

Definition

I. The term "Concentrated Commercial Feeding Stuffs" defined in Section 3-601 Code of Laws of South Carolina, is further defined and held to include:

All materials which are distributed for use as feed or for mixing in feed, other than for man, except:

(a) Whole hays, straw, cotton seed hulls, and corn stover, when the same are not mixed with other materials, and

(b) The unmixed whole seeds of grains of cereals when not mixed with other materials. Also such unmixed whole seeds of grains of cereals found by inspection to be in such damaged condition

as to be unfit for feed purposes, and which may not therefore be mixed with other materials or sold or distributed in any manner for feed purposes.

Labeling

The firm name and address shown on tags and/or labeled packages is held solely responsible for:

1. Registration of the product.
2. The product meeting the declared nutritional guarantee.
3. Every ingredient being in the feeding stuff as stated in the list of ingredients.

Every person, firm, or corporation that ships or distributes feeding stuffs into the State of South Carolina, except as hereinafter provided in Section 4, shall be solely responsible for:

1. The payment of inspection fees.
2. Ascertaining that the feeding stuffs are registered by the manufacturer. and are properly tagged.

II. For mineral feeds and for feeds containing five percent (5%) or more mineral ingredients the statement shall include the following when added:

Minimum and maximum percentages of calcium (Ca).
Minimum percentage of phosphorus (P).
Minimum percentage of iodine (I).
Minimum and maximum percentages of salt (Nacl).

Other substances or elements, determinable by laboratory methods may be guaranteed by permission of the Commissioner of Agriculture. When any items are guaranteed, they shall be subject to inspection and analysis in accordance with the methods and regulations that may be prescribed by the Commissioner.

Molasses, and products sold or distributed solely as mineral or vitamin supplements and guaranteed as specified in this Section, need not show guarantees for protein, fat, and fiber.

If a commercial feeding stuff contains a non-nutritive substance which is intended for use in diagnosis, cure, mitigation, treatment or prevention of disease or which is intended to affect the structure or any function of the animal body, the Commissioner may require the label to show the amount present, directions for use and warnings against misuse of the feed.

An ingredient statement is not required for single standardized ingredients which are officially defined by the Association of American Feed Control Officials.

Registration—Reporting System—Bond

III. Every person who desires to distribute commercial feeding stuffs in this state shall, as a condition precedent to registration of the product, make application to the Commissioner of Agriculture for a permit to report the tonnage of feeding stuff sold.
Registration of Commercial Feeds shall be granted upon the further following conditions:

1. Each and every distributor shall keep such records as are necessary to indicate accurately the tonnage of feeding stuffs bought, sold, and distributed in the state, and as are satisfactory to the Commissioner of Agriculture. Issuance of sales invoices on all sales and deliveries and maintenance of purchase invoices is mandatory. Such records shall be available to the Commissioner, or his duly authorized representative, at any and all reasonable hours for the purpose of making such examination as is necessary to verify the tonnage statement and the tax paid.

2. Each and every distributor shall report the taxable tonnage sold and distributed monthly under oath and on forms to be furnished by the Commissioner. Such reports shall be made and the inspection fee shall be due and payable monthly on the 10th day of each month covering the tonnage and kind of commercial feeding stuffs sold during the preceding month.

If the report is not filed and the inspection fee paid by the 20th day following the date due. or if the report of tonnage be false, the Commissioner may revoke the permit as well as the registration.

In order to guarantee faithful performance with these regulations, each manufacturer, importer, jobber, firm, corporation, or person shall, before being granted a permit to use the reporting system, comply with the requirements of Section 3-644 of the feed law.

Where feeding stuffs have heretofore been registered and the registrant is not under the reporting system, then such person shall have a period of ninety days from the date hereof to come under the reporting system. Failure to do so within this period shall result in cancellation of the registration.

Purchase Exemption Permit

IV. Any importer, manufacturer, manipulator or distributor who buys, or receives on exchange, from another importer, manufacturer, manipulator, distributor or individual, concentrated commercial feeding stuffs for mixing purposes and resale, may apply to the Commissioner of Agriculture for a permit which shall authorize the purchaser to buy or receive such feeding stuffs for such purposes without any tax being first paid thereon, if the tax is paid when such material, either mixed with other materials or in its original form, is resold in South Carolina to other than the holder of a purchase exemption permit. Such permits shall be issued within the discretion of the Commissioner of Agriculture.

1. Preparation of sales invoices covering sales and deliveries to holders of purchase exemption permits is mandatory, and all such invoices shall show exclusion of the inspection fee by legibly recording the purchasers' purchase exemption permit number preceded by the wording "South Carolina Exemption Permit". The inspection fee shall be considered not paid and due and payable by the seller or distrbiutor on all invoices not showing the exemption permit number notation and shall not be subject to refund under any condition.

2. Sellers and distributors shall require, and purchasers shall furnish with the initial order placed under the permit with the supplier, a certified statement to the seller that the purchaser is the holder of a purchase exemption permit. A copy of this statement shall be immediately forwarded to the South Carolina Department of Agriculture. All such statements shall be prepared on forms furnished by the Department of Agriculture. Failure by the permit holder to furnish to the South Carolina Department of Agriculture a copy of each such statement issued shall require payment of a $5.00 penalty for each notice not furnished.
3. Each and every importer, manufacturer or manipulator shall keep such records as are necessary to indicate accurately the tonnage of feeding stuffs purchased, sold and delivered pursuant to issuance of the purchase exemption permit, and such records must be satisfactory to the Commissioner or his duly authorized representative; and said records shall be made available at any and all reasonable hours for the purpose of making such examination as is necessary to verify the tonnage purchased, sold, and delivered.
4. Where a purchase exemption permit is granted to an importer, manufacturer, or manipulator, each manufacturer, importer, jobber, firm, corporation or person shall, before being granted a purchase exemption permit, deposit with the Commissioner cash or its equivalent in the amount of five hundred ($500.00) dollars, or shall post with the Commissioner a surety bond in like amount, executed by some corporate surety company authorized to do business in South Carolina, and counter-signed by a licensed South Carolina agent of said company, which shall be approved by the Commissioner before acceptance. The conditions of the bond shall be to guarantee compliance with all statutory laws, the rules and regulations of the State of South Carolina relating to the sale, manufacture and distribution of commercial feeding stuffs in the State of South Carolina. Non-performance or failure to comply shall result in the payment of the sum of five hundred ($500.00) dollars as liquidated damages to the State of South Carolina.

   The bond required hereunder shall be in addition to that required under Section 3-644. The posting of separate bonds of five hundred ($500.00) dollars each or a combined bond with limited liability of five hundred ($500.00) dollars under each bonding requirement shall be optional. Five hundred ($500.00) dollars monthly reporting permit bonds on file upon effective date of this regulation may be increased to one thousand ($1,000.00) dollars by endorsement of the issuing surety.

Inspection Tax

V. The inspection tax required under Section 3-641 applies to all commercial feeding stuffs furnished, supplied or used for the growing or feeding under contract or agreement, other than for man, and shall also apply to any feeding stuffs which are produced by the purchase of grain or other materials and the grinding and mixing of same with

concentrated commercial feeding stuffs being used as a supplement or base.

A "Customer Formula Feed" is hereby defined as a mixture of commercial feeds or materials, each batch of which mixture is formulated according to the specific instructions of the final purchaser, or contract feeder and is subject to the inspection tax required under Section 3-641 just as any other commercial feeding stuff.

A "Customer Formula Feed" shall be labeled by invoice. The invoice, which is to accompany delivery and be supplied to the purchaser at the time of delivery, shall bear the following information:

1. Weight or quantity of the feed.
2. Name and address of the mixer.
3. Name and address of the purchaser.
4. Date of sale.
5. The product name and brand name, if any, and number of pounds of each registered commercial feed used in the mixture and the name and number of pounds of each other feed ingredient added.
6. A statement of the maximum percentage it contains of crude fiber, and the minimum percentage of crude fat and crude protein.

A "Custom-mixed Feed" is hereby defined as a feed composed of grains or other feed materials grown on the farm of a person, firm, or corporation engaged in farming and ground and mixed with a concentrate or base for the sole purpose of being fed to the livestock, domestic animals or poultry of the said person, firm, or corporation.

In "custom-mixed feed", only that portion of such feed as is grown and supplied by the said person, firm or corporation, shall be exempt from the feed inspection tax; provided the identical grain or other feed material furnished the mixer is received back. The exchange, swap or barter of such material for like grain or material by and between the manufacturer, importer, jobber, firm or corporation and the person, firm, or corporation engaged in farming and supplying such material from his farm for use in a "custom-mixed feed" precludes exemption and said feed becomes subject to the inspection tax just as any other feeding stuff.

A "custom-mixed feed" shall be labeled by invoice. The invoice, which is to accompany delivery and be supplied to the purchaser at the time of delivery, shall bear the following information:

1. Name and address of the mixer.
2. Name and address of the purchaser.
3. Date of sale.
4. The product name and brand name, if any, and number of pounds of each registered commercial feed used in the mixture and the name and number of pounds of each other feed ingredient added.

The effective date of these regulations shall be October 8, 1964.

BOARD OF ARCHITECTURAL EXAMINERS

Promulgated under authority of Section 56-54 of the 1962 Code
(Filed in the office of the Secretary of State February 1, 1965)

Rule 19

The Rules of the State Board of Architectural Examiners are amended by adding Rule 19, as follows:

19. Branch Office: "No branch office shall be maintained in South Carolina by a Registered South Carolina Architect unless such branch office has a Registered Architect who is a resident of the location of said branch office in full responsible charge at all times."

CLEMSON UNIVERSITY

Meat Inspection Regulations

Promulgated under authority of Section 6-609 of the 1962 Code
(Filed in the office of the Secretary of State November 10, 1964)

Those interested should refer to the pamphlet which is filed in the office of the Secretary of State.

State Crop Pest Commission

Promulgated under authority of Section 3-104 of the 1962 Code
(Filed in the office of the Secretary of State November 10, 1964)

Imported Fire Ant Quarantine—Revised October 1, 1964.

(Filed in the office of the Secretary of State June 20, 1965)

Witchweed Quarantine—Revised April 1, 1965.

Sweet Potato Weevil Quarantine—Revised April 1, 1965.

Those interested in any of these three regulations should refer to the copy which is filed in the office of the Secretary of State.

STATE BOARD OF COSMETIC ART EXAMINERS

Beauty Schools

Promulgated under authority of Sections 56-472.4 and 56-472.5 of the 1962 Code
(Filed in the office of the Secretary of State June 29, 1965)

Beauty Schools opening on or after January 13, 1964, shall have 2,500 square feet of floor space—divided as follows:

One work room.
One class room.
One dispensary which must be at least 6′ x 10′.
One rest room.
One coat room.

DAIRY COMMISSION

Promulgated under authority of Section 32-1630 of the 1962 Code

Regulation No. 3

(Filed in the office of the Secretary of State September 30, 1964)

Regulation No. 3 is amended by deleting Paragraph B in its entirety and inserting in lieu thereof the following:

B. **Establishment of Milk Bases**—The base period shall be from September 1 of each year through January 31 next succeeding. (A base period from September 1 each year through December 31 next succeeding may be used in plants when such period is mutually agreeable to the producers and distributors concerned, provided written notice to that effect is forwarded to the Commission by the distributors prior to September 1 each year.) The base of each producer shall be determined after each base period in accordance with the rules set forth below.

1. The base of each producer shall be one hundred and five percent (105%) of the monthly average of the Class I and Class II utilization allocated to each producer, exclusive of any military contract milk, during the base period or the producer's total production during such period, whichever is lesser, except as provided in paragraph 3. (NOTE: For the base period beginning September 1, 1964 **ONLY**, military milk may be included in the calculation of bases at plants holding military contracts at the beginning of the period if a majority of the producers so elect in a mail referendum conducted by the Commission.)
2. The base of a new producer, coming on the market without an established base, shall be determined by dividing the total grade A milk delivered by such producer during the first base period occurring after the entry of such producer on the market by the number of months in the base period; provided however, a new producer shall not be entitled to establish an average monthly base in excess of 20,000 pounds.
3. A producer with an established base who delivers milk regularly to a grade A milk plant during the base period and whose average production during such period decreases by more than ten percent (10%) of his current base, shall have his new base determined by multiplying his current base by ninety percent (90%); provided, however. such producer's new base shall not exceed the amount obtained by multiplying his current base by the average percentage of the total plant base applicable in determining the bases of all producers in the plant at which his milk is marketed; and provided further, that a producer shall not be entitled to the protection as herein provided for two (2) consecutive base periods.

This amendment shall take effect October 1, 1964.

Regulation No. 4

(Filed in the office of the Secretary of State December 8, 1964)

Filing of Wholesale and Retail Prices

Regulation No. 4, as amended, is further amended by rewriting it in its entirety to read as follows:

A. Pursuant to the requirements of Section 32-1640.4, 1962 Code, each distributor, as a prerequisite to obtaining a license, shall file with the Commission, on forms prepared and furnished by the Commission, a schedule of wholesale and retail prices established by such distributor for each market served directly by the distributor or indirectly through a sub-distributor, sales branch or subsidiary principally supplied with processed products by such distributor. Each schedule shall include the price of each unit of product covered by the Act and offered for sale by the distributor, and shall specify the size and type of container. The required schedule of prices and any change with respect thereto shall be signed by a responsible official, who by virtue of his position and duties can appropriately sign the affidavit on Form No. SDC-1, and such person shall be designated in the distributor's application for license or renewal of license to be held legally responsible for compliance with conditions of the license to be issued.

1. A copy of the distributor's current schedule of prices on file at any time with the Commission for any market served by a sub-distributor, sales branch or subsidiary shall be furnished by the distributor to and kept on file in the office of the sub-distributor, sales branch or subsidiary serving such market.
2. A distributor shall not be required to establish and file prices with the Commission for any product(s) offered for sale except those products covered by the Act (milk, milk products. ice cream and frozen desserts). However, the sale by a distributor of any product which is not covered by the Act to ANY wholesale or retail consumer at a price less than the price made available to ALL wholesale and retail customers respectively, or any other discriminatory pricing practice with respect to such products by a licensee, shall be deemed a decrease in the prices filed with the Commission for the products covered by the Act and a violation of the price filing provisions of this Regulation.

B. Upon receipt from distributors of all required Schedules of Prices annually, the Commission shall, as soon thereafter as is practical, determine and make available to each licensed distributor the prices of each unit of milk and milk product established by each licensed distributor for each market within the State.

C. The wholesale and retail prices filed with the Commission by a distributor for each market shall be charged uniformly for all deliveries within the market except as follows:

1. Special wholesale prices MAY be established for any market and filed with the Commission to be made available to: (1) private, public, or parochial schools and state or church supported colleges or uni-

versities which provide non-profit lunch room facilities for students; (2) eleemosynary institutions or agencies and, (3) non-profit hospitals entirely supported by a church or by the federal, state, county or municipal governments; **PROVIDED;** the special wholesale prices so established are made available uniformly to all such customers within a given market. Special wholesale prices established in accordance herewith shall not apply to products purchased by or for independently operated dairy bars, soda shops, canteens, student centers, etc., or food service facilities operated by any person other than the specific types of customers designated above.

2. The prices filed for any market shall not be deemed to apply to products sold to the United States Government under contract and delivered to federal military installations; provided however, each distributor entering into a contract with the United States Government to supply any product covered by the Act to such installations shall notify the Commission in writing prior to the first day of delivery under such contract of: (1) the name of the installation to be supplied; (2) the approximate quantity of each unit of each product to be supplied; (3) the unit price made available on each unit of each product and; (4) the beginning and terminating dates of the contract.

D. The prices established by a distributor for any market and filed with the Commission may be changed (including any addition to the distributor's product line of a **new product** or a **new unit** of an existing product on which prices are required to be filed (**ONLY** on the first day of any calendar month; **PROVIDED,** a **complete** new schedule of prices applicable in such market is sent by certified mail to the Commission, **on forms furnished by the Commission,** and such schedule is received in the Commission office at least ten (10) days (exclusive of Sundays and legal holidays) prior to sale or **OFFER** to sell at the prices established by the new schedule.

E. The Commission, upon receipt of a new schedule of prices duly filed for any market, shall mail within three (3) days thereof (exclusive of Sundays and legal holidays) a copy of the new schedule to each licensed distributor operating in the market in which the new prices are to be applicable.

F. A distributor, upon receipt from the Commission of a new schedule of prices established by a competitor for any market, may place into effect in such market on the effective date designated on such schedule similar price changes (but not below those which have been duly filed with the Commission by a competitor); **PROVIDED,** the distributor sends to the Commission by certified mail a complete new schedule of prices to be applicable in the affected market and such schedule is received in the Commission office at least one (1) day (exclusive of Sundays and legal holidays) prior to sale or **OFFER** to sell at the new prices filed as provided by this paragraph.

G. No distributor shall sell or **OFFER** for sale any product covered by the Act in any market, either directly or indirectly through a sub-

distributor, sales branch or subsidiary, at a price less than the price offered in the market in which such distributor's processing plant is located, or less than the price offered in the principal sales area of such distributor (measured by volume of sales), except when such lower price is offered in good faith to meet a competitive price which has been duly filed with the Commission, and after due notice has been given as provided in paragraph F above. No sub-distributor shall sell or **OFFER** for sale any product covered by the Act at a price forbidden the distributor by whom such sub-distributor is principally supplied with processed products.

H. A distributor shall not file and place into effect a price for any unit of milk or milk product which is less than the unit price of such product as duly filed by the distributor with the Commission on April 1, 1963, except to meet competition as provided in paragraph F of this Regulation or as may be permitted by Special Order of the Commission, until the Commission has determined by an audit to be made at the request of the distributor, that any proposed reduced price of any unit of milk or milk product is not less than the distributor's cost as defined by Section 32-1611(23) and 32-1640.8 of the 1962 Code of Laws of South Carolina.

I. A distributor shall prove, at a hearing before the Commission. that all provisions of Section 32-1640.3(3), 1962 Code of Laws of South Carolina relating to the establishment of prices based on quantity, terms or conditions of sale have been fully complied with before filing or placing into effect any schedule of wholesale prices which are based on said factors.

J. A distributor shall not file and place into effect, on or after January 1, 1965, a price for any unit of milk, skim milk, or buttermilk in any container larger or smaller than a half-gallon unit (except a unit normally sold to the wholesale trade for use in a dispenser) which is less than an amount proportionate to the price filed for a half-gallon unit of such product on the basis of the relative volume of the larger or smaller unit adjusted by any differential in the distributor's container cost. Furthermore, on and after January 1, 1965, a distributor shall not offer milk, skim milk or buttermilk for sale in any market in a unit larger than one-half gallon (including containers bound together and sold as a unit) unless such product, in the same size and type of container, is generally sold by such distributor in the market or area in which such distributor's processing plant is located. The provisions of this paragraph shall not prohibit a distributor from meeting lawful competition. This regulation shall take effect January 1, 1965.

(Filed in the office of the Secretary of State December 10, 1964)

Regulation No. 4, as amended, is further amended by deleting Paragraph H in its entirety and inserting the following in lieu thereof:

H. A distributor shall not file and place into effect any prices for milk and milk products based upon any system or policy of pricing (i. e., prices based upon quantities purchased or other terms or conditions of sale)

which is different from the system or policy used in establishing the prices on file with the Commission on April 1, 1963, except to meet competition as provided in paragraph F of this Regulation or as may be permitted by Special Order of the Commission, until the Commission has determined by an audit to be made at the request of the distributor, that any proposed reduced price of any unit of milk or milk product is not less than the distributor's cost as defined by Section 32-1611(23) and 32-1640.8 of the 1962 Code of Laws of South Carolina.

This amendment shall take effect January 1, 1965.

STATE BOARD OF EDUCATION

Teacher Education and Certification

Promulgated under authority of Section 21-45 of the 1962 Code

(Filed in the office of the Secretary of State November 2, 1964)

The following was adopted by the State Board of Education March 20, 1964. It supplements the bulletin "Requirements for Teacher Education and Certification," (1961), a copy of which is on file in the office of the Secretary of State.

Class II

A bachelor's degree including the prescribed four-year program of general and professional education plus 18 semester hours of graduate credit, six of which must have been earned in residence; however, a maximum of nine semester hours of undergraduate credit may be substituted for nine of the required 18 semester hours of graduate credit, provided the undergraduate credit is earned in major academic fields (courses other than professional education) which represent subjects commonly taught in the public schools. Courses submitted for substitution must be at a level different from those previously taken.

The Division of Teacher Education and Certification is authorized to insert this meaning in the other parts of the bulletin in which a definition of Class II is used for explanatory purposes.

The following was adopted by the State Board of Education July 17, 1964. It supplements the bulletin "Requirements for Teacher Education and Certification." (1961), a copy of which is on file in the office of the Secretary of State.

"A Limited Advanced Professional certificate may be issued to a teacher with 14 or more years of teaching experience who becomes eligible for a Class III certificate in service but does not qualify for a regular Advanced Professional certificate, provided he meets the following requirements:

(a) Grade A or B on the National Teacher Examination.

(b) Eighteen semester hours in professional education.

(c) Eighteen semester hours earned since 1942."

The following was adopted by the State Board of Education September 18, 1964. It supplements the bulletin "Requirements for Teacher Education and Certification," (1961), a copy of which is on file in the office of the Secretary of State.

Effective July 1, 1964, no limit shall be placed on the amount of correspondence credit accepted for advancement in the Class III certificate.

(Filed in the office of the Secretary of State March 25, 1965)

The following was adopted by the State Board of Education, March 12, 1965.

The enforcement of the new requirements passed by the Board for certification of attendance supervisors is extended two years to July 1, 1967.

The following regarding NTE Optional Examination Score was adopted by the State Board of Education January 15, 1965 and becomes a part of certification requirements.

Due to changes in the reporting of the National Teacher Examination scores, a score of 600 should be substituted for 60 on pages 34 and 49 of the bulletin. "Requirements for Teacher Education and Certification," under the section concerning the optional examination of the National Teacher Examination so that Item 4 would then read as follows: "A teacher holding a certificate may have another field endorsed on that certificate by making a score of 525 on the common examination of the National Teacher Examination and a score of 600 or more on the National Teacher Examination option in the given field."

The following concerning degrees earned in unaccredited institutions was approved by the State Board of Education November 20, 1964. This becomes a part of the existing certification requirements.

Anyone holding a Bachelor of Arts, Bachelor of Sceience, or Bachelor of Education degree from an unaccredited college may validate such degree for a Class III certificate by one of the following procedures provided he otherwise qualifies for a certificate.

1. Make a score of at least 500 on the common examination of the National Teacher Examination.
2. Make a combined score of at least 800 on the verbal and quantitative abilities of the Graduate Record Examination.

*3. Unconditional admission to a graduate school.

*4. Earn 12 semester hours of graduate credit in residence at a standard institution having an approved graduate division.

*5. Have credits transferred and degree accepted by a standard graduate institution.

The following revision in the requirements for certification of guidance counselors was adopted by the State Board of Education February 18, 1965 and becomes a part of certification requirements.

* These must be institutions fully accredited for general collegiate purposes by a regional accrediting association and having a regular graduate division meeting regional association requirements.

Requirements for Certification of Guidance Counselors

Effective July 1, 1967

Guidance Couselor

A. Valid teacher's certificate with grade A or B.
B. Health report, examination made at time of application for certificate.
C. Two years of teaching experience.
D. Bachelor's Degree.
E. Graduate credits—A minimum of 18 to 21 semester graduate hours in guidance courses distributed as follows: All courses are required.

	Semester Hours
*(a) Basic Guidance Course	3
(b) Human Growth and Development	3
(c) Appraisal of Individual	6
(d) Guidance Information	3
(e) Counseling Techniques	3
(f) Practicum	3

Guidance Counselor Advanced

A. Valid teacher's certificate with grade A or B.
B. Health certificate.
C. Two years of teaching experience.
D. Master's Degree.
E. Graduate credits—A minimum of 24 to 27 semester graduate hours in guidance courses distributed as follows. All courses are required.

	Semester Hours
*(a) Basic Guidance Course	3
(b) Human Growth and Development	6
(c) Appraisal of Individual	6
(d) Guidance Information	3
(e) Counseling Techniques	3
(f) Practicum	6

* Undergraduate or graduate credit is acceptable for the three-hour requirement for the Basic Guidance Course only.

Adoption of Textbooks

Promulgated under authority of Sections 21-45 and 21-505 of the 1962 Code

(Filed in the office of the Secretary of State March 25, 1965)

Regulations covering textbook adoptions were passed December 18, 1964 and amended February 19, 1965.

Those interested should refer to the copy which is filed in the office of the Secretary of State.

State Plans Pertaining to Public Law 85-864

Promulgated under authority of Section 21-45 of the 1962 Code

(Filed in the office of the Secretary of State November 2, 1964)

The following amendment to Title III of the National Defense Education Act of 1958 was approved by the State Board of Education February

21, 1964, and became part of the plan filed with the Secretary of State September 16, 1959.

An amendment to the South Carolina State Plan for strengthening instruction in science, mathematics, and modern foreign languages pursuant to the provisions of 301-304, inclusive, of Title III of Public Law 85-864 as amended by Public Law 88-210.

4.24 Schools operated by other public institutions or agencies.

Any other public institution or agency of the State having administrative control and direction of a public elementary or secondary school shall be eligible to submit plans and projects in accordance with the procedures provided in Section 4.22. Included in this category are elementary and secondary "laboratory schools" as operated by state colleges, schools for the "handicapped," and such other elementary and secondary schools operated by a public agency authorized to conduct educational programs.

The following amendments to Title V of the National Defense Education Act of 1958 were approved by the State Board of Education May 22, 1964, and became part of the plan filed with the Secretary of State September 16, 1959.

Amendment to the South Carolina State Plan for Guidance, Counseling and Testing Pursuant to the Provisions of Section 503 (a) of Public Law 85-864, as amended by Public Law 88-210

May 22, 1964

Section 1.0 Introductory paragraph amend by adding as amended by Public Law 88-210 to read: The State of South Carolina, through the State Board of Education, hereby, submits its State Plan for Guidance, Counseling and Testing. Pursuant to the provisions of Sections 501, 504 (a), inclusive, under **Title V—Part** A, of Public Law 85-864, and as amended by Public Law 87-344, and as amended by Public Law 88-210 and the regulations issued with respect hereto.

Section 3.0 **Program for State Supervision and Related Services**—amend by adding administration to read: **Program for State Administration, Supervision and Related Services.**

Sub-section 3.1 under present state activities add:

Consultant services were provided to elementary schools with grades 7 and 8 prior to December 18. 1963 on request. Services usually requested were assistance in selecting, administering, scoring, reporting and analyzing test results, determining classroom teachers role in guidance and developing a better understanding of behavior of pupils. Services provided to public schools operated by public institutions and agencies prior to December 18, 1963 were the same as to other public schools.

Sub-section 3.21 add statements number 5 and 6 to read:

(5) where grades seven and eight are included in the elementary school organization schools will be encouraged to extend guidance, counseling and testing services to include pupils enrolled in these grades.

(6) pupils in grades 7-12 under the administrative control and direction of public institutions or agencies as defined by regulations 143.1 (f) will

be encouraged to participate in the program of guidance, counseling and testing.

Section 4.0

Subsection 4.1 under description of present testing activities add:

Data on the extent of testing in grades 7 and 8 of public elementary schools and in elementary schools operated by public agencies and institutions prior to December 18, 1963, is not available in the State Department of Education.

Sub-section 4.3 add:

In schools where grades 7-8 are included in the elementary school organization (75% of pupils in these grades are in secondary organization) testing will be made available on request by the local school system on the same basis as grades 7-8 in the secondary organization.

Section 5.0 Guidance and Counseling Program in Public Secondary Schools—amend to read: **Guidance and Counseling Programs in Public Secondary schools and Grades Seven and Eight of Public Elementary Schools.**

Sub-section 5.1 under description of present guidance and counseling.

Secondary schools operated by public agencies and institutions provided the same guidance, counseling and testing services as provided by other public secondary schools prior to December 18, 1963.

A Revised State Plan for the Strengthening of Instruction in Science, Mathematics, and Modern Foreign Languages, and other critical subjects under Sections 301-304 of Title III, P. L. 85-864, as amended, was approved by the State Board of Education, March 12, 1965.

The Revised Plan supersedes all other plans filed under Title III of P. L. 85-864.

Those interested should refer to the copy which is filed in the office of the Secretary of State.

EMPLOYMENT SECURITY COMMISSION

Promulgated under authority of Sections 68-63 and 68-65 of the 1962 Code

(Filed in the office of the Secretary of State April 6, 1965)

Amendments to Regulations II; VI C; VII A; VII D; VIII C 3; X A 1 (d); X B 1; XII A 1 (b); XII C 1 (b)(1); XII C 1 (b)(5); XII C 1 (b)(6); XII C 1 (b)(7); XII C 1 (b)(8); XII C 1 (c)(5); XII C 2 (c); XII C 2 (d); XII C 2 (e); XIII; XIV B; XIX C; XX A 3; XXIV A; XXV; XXVI A and XXVI B 1 as adopted on March 31, 1965.

(Page numbers appearing as references are those of Volume 17, Rules and Regulations, Code of Laws, 1962).

1. Regulation II, page 131, is amended by changing "Section 68-13 to 68-14" in order to bring the law citation from the 1952 Code into conformity with the 1962 Code, so that the regulation as amended shall read:

REGULATION II. Displaying of Informational Posters:

All employing units having individuals engaged in employment, as defined by Section 68-14 of the Act, shall post and maintain in con-

spicuous places where workers perform their services such informational posters as are provided by the Commission so that the information printed thereon may be read by all workers.

2. Regulation VI C, page 132, is amended by deleting therefrom all of Section C 4 thereof and inserting in lieu thereof the following: "Total wages paid to the worker during the quarter" so that when amended Section C of Regulation VI shall read:

C. REPORTS COVERING WAGES OF INDIVIDUALS IN EMPLOYMENT:

Except as otherwise provided, each employer shall submit on or before the last day of the first month following the quarter covered by such report, a form report showing each individual in his employment during the preceding quarter. Form shall set forth:

1. The employer's name and account number assigned by the Commission.
2. The worker's full name.
3. The worker's Social Security Account Number.
4. Total wages paid to the worker during the quarter.
5. If separated, the date of separation.
6. Such other information as required by the form.

3. Regulation VII A, page 133, is amended by deleting therefrom all of said Section A and inserting in lieu thereof the following, so that when amended Regulation VII A shall read:

REGULATION VII. Contributions: Interest:

A. Contributions shall be payable quarterly with respect to wages paid within each calendar quarter.

4. Regulation VII D, page 133, is amended by deleting from the end thereof the words "and, PROVIDED, FURTHER, that only one such extension may be granted within any twenty-four (24) months' period", so that when amended Regulation VII D shall read as follows:

D. Employers who are delinquent in the payment of contributions with respect to any calendar year or portion thereof, may, upon application, be authorized to pay the delinquent contributions, with interest on deferred amounts until actually paid, in consecutive installments of such amounts and over such periods and at such times as may be approved by the Commission or the Executive Director thereof, PROVIDED, that the entire unpaid balance shall become due immediately if the employer fails to pay any installment when due.

5. Regulation VIII C 3, page 135, is amended by changing the word "for" to "from", so that when amended Regulation VIII C 3 shall read:

3. Upon receiving requests from both the transferring and acquiring employers for the transfer of the portion of the experience rating reserve account of the transferring employer attributable solely to the portion of the business acquired by the acquiring employer, the Commission shall require that the transferring employer supply the Commission with the following data to be used in reaching a determination of the part of the experience rating reserve account to be transferred:

The total payroll (taxable wages) related to the distinct and severable portion of the business transferred for the three (3) fiscal year period ending on June 30 immediately preceding such transfer, or such lesser period as the severable portion may have been in operation and from such June 30 to the date of such partial transfer.

6. Regulation X A 1 (d), page 136, is amended by deleting the entire section and substituting in lieu thereof the following:

(d) Any employer who fails to furnish separation information indicating that a worker was separated under disqualifying conditions, shall be presumed to have admitted that such worker should not be disqualified under any of the provisions of Section 68-114 of the Act.

7. Regulation X B 1, page 137, is amended by adding the words "and approved by the Commission", so that Regulation X B 1 when amended shall read as follows:

B. Mass Separations:

1. The term "mass separation" means a separation (permanently, or for an indefinite period, or for an expected duration of seven or more days), of twenty-five or more workers employed in a single establishment at or about the same time and for the same reason; PROVIDED, HOWEVER, that the term "mass separation" shall not apply to separations for regular vacation periods as defined in the Act and approved by the Commission.

8. Regulation XII A 1 (b), page 137, is amended by deleting the words "on Form UCB-103", so that when amended said regulation shall read:

(b) Continued Claims: In order to establish eligibility for benefits or waiting period credits for succeeding weeks of total unemployment during any continuous period of total unemployment, the claimant shall continue to report in person at intervals of one week, or at intervals of less than one week, when so directed by a representative of the Commission at the office at which he registered for work and filed his initial claim for benefits; or, with the consent of a representative of the Commission at such office, for reasons found to constitute good cause for his inability to report to such office, at any other Employment Service Office, and file at such office a continued claim for benefits setting forth:

(1) That he continues his claim for benefits.
(2) That he registers for work.
(3) That he is totally unemployed and that since he last registered for work he has performed no service and earned no wages except as indicated.
(4) Such other information as is required thereby.

9. Regulation XII C 1 (b)(1), page 138, is amended by deleting all of said section and substituting in lieu thereof the following:

(b) Initial Claims:

(1) For each partially unemployed worker for whom a current benefit year has not been previously established and who in one payroll week has been furnished by his employer with less than four days work during such week, the employer shall promptly prepare Form

UCB-114, Low Earnings Report and Claim—Partial Unemployment. All information requested on the upper portion of the form must be supplied. The employer shall, if possible, obtain the signature and address of the worker and forward Form UCB-114 to the nearest Employment Service Office. The completed Form UCB-114, signed by the claimant, shall be used as a request for determination of status as an insured worker. If the claimant is eligible for a weekly benefit amount, the initial claim filed on Form UCB-114 shall be credited as a waiting week, if the claimant earned less than such weekly benefit amount during the week covered by the low earnings report (Form UCB-114).

10. Regulation XII C 1 (b)(5), page 139, is amended by deleting the last sentence thereof, reading: "After a period of twenty-eight (28) days, any remaining unsigned claims shall be forwarded to the Central Office", so that the said Regulation when amended shall read:

(5) Unsigned completed Forms UCB-114 which are received by an Employment Service Office from the employers shall be held thereby pending the filing of a claim. If no claim is filed by the worker within two (2) weeks, the Employment Service Office shall mail to the claimant a Form UCB-122, calling his attention to his right to file a claim.

11. Regulation XII C 1 (b)(6), page 139, is amended by deleting from the last sentence thereof the words "and delivering to him the duplicate copy of the form", so that the said regulation when amended shall read:

(6) When a worker is found to be eligible for partial benefits under a claim filed therefor, the Commission shall notify the employer and the claimant of the weekly benefit amount the claimant will receive if totally unemployed and otherwise eligible for benefits. Such notice shall state the date on which the benefit year of the claimant will end. The attention of the employer shall be called to the fact that the amount shown is applicable only to claims for any week within the benefit year shown and that the employer is required by regulations to continue to file weekly with the Employment Service Office a low earnings report (Form UCB-114) after, if possible, obtaining the signature of the worker until the partial unemployment of the claimant ceases or until otherwise notified by the Commission.

12. Regulation XII C 1 (b)(7), page 139, is amended by changing the words "because of insufficient earnings in his base period" to "insufficient base period wages", so that the said regulation when amended shall read:

(7) When a worker is found to be ineligible because of insufficient base period wages for partial benefits under a claim filed therefor, the Commission will notify the employer and claimant by so noting on the copies of the determination which shall be mailed to each. The employer shall be further notified that the claimant has been found ineligible to receive benefits during the quarter within which the initial claim was filed and that after the expiration of the quarter a low earnings report for any payroll week in which the worker has been furnished with less than four full days of work, or the time or dollar equivalent thereof must be filed.

13. Regulation XII C 1 (b)(8), page 140, is amended by deleting the same in its entirety from the Regulations of the Commission.

14. Regulation XII C 1 (c)(5), page 140, is amended by deleting the same in its entirety and substituting in lieu thereof the following:

(5) For any week or weeks of total unemployment the employer may file Form UCB-114 provided the claimant is still attached to such employer and such week of total unemployment was due to the inability of the employer to furnish such claimant any partial employment during such week.

15. Regulation XII C 2 (c), page 140, is amended by deleting the words "suffered a significant amount of reduced hours and earns less than four days work" and inserting in lieu thereof "has been furnished less than four days work", so that said regulation as amended shall read:

(c) The employer shall file low earnings reports (Form UCB-114) for each week for each individual who is suffering a significant amount of reduced hours and is earning less than his weekly benefit amount. If the employer has not been notified of the weekly benefit amount of any individual in his employ, the employer shall file a low earnings report (Form UCB-114) for the first week that such individual has been furnished less than four days work or the time or dollar equivalent thereof. The procedure shall be the same as that outlined for individual claims for partial unemployment.

16. Regulation XII C 2 (d), page 140, is amended by deleting said section in its entirety from the Regulations of the Commission.

17. Regulation XII C 2 (e), page 140, is amended by renumbering said Regulation XII C 2 (d) so that Regulation XII C 2 (e) as thus amended and renumbered Regulation XII 2 (d) shall read:

(d) Any worker involved in a mass partial unemployment situation may call at the Employment Service Office and file his initial or continued claim for partial benefits under the same conditions as outlined for the filing of individual claims. See paragraphs C-1(b) (3) and C-1(b) (4).

18. Regulation XIII, page 143, is amended by deleting the same in its entirety and substituting in lieu thereof the following:

REGULATION XIII. Method of Paying Benefits:

Benefits shall be paid by check of the Commission issued on its Benefit Payment Account and shall be delivered in person at the Commission's local office or mailed to the individual's last known address.

19. Regulation XIV B, page 143, is amended by adding the words "or certified", so that when amended said regulation shall read:

B. A written offer of work made directly by an employer shall set out the nature of the work offered, the probable wages and hours per week, the shift or daily hours of the proposed employment, the expected duration of employment, the time and place the claimant should report, and the name of the person to whom he is to report. No disqualification will be imposed by reason of the failure of a claimant without good cause to accept a direct offer of available and suitable

work unless the employer submit a copy of such an offer to the Commission together with a certification that it was either received and refused by the claimant, or that it was directed by registered or certified mail to the last known address of the claimant and that no response was made by the claimant; PROVIDED, HOWEVER. that no direct offer of work made in accordance with this section shall be considered unless a notice of such offer of work is received by the Commission within seven (7) days after such offer was made.

20. Regulation XIX C, page 146, is amended by deleting the words "the top line of Column D of Section 3 (b) of the South Carolina Unemployment Compensation Law effective July 1, 1941" and all of Section C 1, so that Regulation XIX C when amended shall read:

C. With respect to the benefit year as defined in Paragraph B hereof, the base period of such individual for whom a benefit year was current upon the date of his entry into the service, as above set forth, shall be the base period applicable to such current benefit year, plus all completed and incompleted calendar quarters occurring subsequent to the last day of such base period but prior to the date of his entry into the service aforesaid. PROVIDED, HOWEVER, that in the computation of available benefits for such individual, for whom a benefit year was current upon the date of his entry into the service as above set forth, there shall be deducted from the maximum total amount thereof the sums paid to such individual in such current benefit year prior to his entry into the service aforesaid; and PROVIDED, FURTHER, that the maximum total benefits after such deduction shall not be less than the minimum amount provided in Section 68-104 of the South Carolina Unemployment Compensation Law.

21. Regulation XX A 3, page 147, is amended by deleting the words "Alaska, Hawaii" and adding "Puerto Rico", so that said regulation when amended shall read:

3. "State" includes the District of Columbia and Puerto Rico.

22. Regulation XXIV A, page 149, is amended by deleting the words "Effective July 1, 1950", so that said regulation when amended shall read:

A. Claimants for unemployment compensation benefits shall be required to report and file claims weekly in such manner and in accordance with such procedures as the Commission may adopt unless the Commission shall prescribe for the bi-weekly filing of claims, as set out below.

23. Regulation XXV, page 150, is amended by changing the words "computation date of such calendar year" to "computation date for such calendar year", so that said regulation when amended shall read:

REGULATION XXV. Voluntary Contributions:

Any employer, in order to obtain a lower contribution rate, may make a voluntary contribution to the fund in addition to the contribution required under Chapter 4, Article 2, South Carolina Unemployment Compensation Law; PROVIDED, HOWEVER, that a voluntary contribution to be used in the computation of a reduced rate for a calendar year must be made prior to March 1 of such calendar year.

Such voluntary contribution shall be credited to the employer's account as of the computation date for such calendar year. Any voluntary contribution made as provided herein shall not be considered as payment of future contributions and shall not be refunded.

24. Regulation XXVI A, page 150, is amended by changing Section 68-64 to Section 68-29 (inasmuch as the type of reciprocal agreement included within this regulation is distinctly different from the kind of reciprocal agreement authorized by Section 68-64), so that said regulation when amended shall read:

A. Relation to Subscribing States:

The following regulation, adopted under Section 68-29 of the Unemployment Compensation Law, shall govern the Employment Security Commission of South Carolina in its administrative cooperation with other States subscribing to the Interstate Reciprocal Coverage Arrangement, hereinafter referred to as "the arrangement".

25. Regulation XXVI B 1, page 150, is amended by deleting the words "Alaska, Hawaii" and adding "Puerto Rico", so that said section when amended shall read:

1. "Jurisdiction" means any State of the United States, the District of Columbia, Puerto Rico, Canada, or, with respect to the Federal Government, the coverage of any Federal unemployment compensation law;

Regulation XXIX

The South Carolina Employment Security Commission on March 31, 1965, adopted Regulation XXIX "Review of Rulings with Respect to the Status, Liability, and Rate of Contributions of an Employer or Employing Unit".

REGULATION XXIX. Review of Rulings with Respect to the Status, Liability, and Rate of Contributions of an Employer or Employing Unit:

A. At the request of an employing unit or employer the Director of the Unemployment Compensation Division shall review any administrative determination with respect to the status, liability, and rate of contributions applicable thereto and shall issue an administrative ruling in affirmation, modification, or reversal of such determination.

B. An administrative ruling by the Director of the Unemployment Compensation Division concerning the status, liability, or rate of contributions of an employing unit or employer (whether issued initially or in accordance with paragraph A, supra), will be reviewed by the Commission upon the appeal of such employing unit or employer, PROVIDED:

1. The appeal be made in writing and mailed or delivered to the Commission not more than thirty days after the date of the administrative ruling, and
2. The appeal contain a clear and concise statement of the reasons therefor.

C. The Commission shall designate an Appeals Referee or Field Deputy employed by it to conduct a hearing at a place convenient for the em-

ploying unit or employer concerned at which testimony shall be taken and evidence received in the matter.

1. Notice of the hearing shall be mailed by the referee or deputy to the employing unit or employer, directed to its last known address, at least seven days prior to the date of the hearing. The notice shall state the time set for the hearing, together with a brief statement of the question or questions to be determined.
2. The hearing shall be conducted under the same procedure as that provided for the hearing of appeals of claims for benefits. Testimony will be recorded and exhibits will be received into evidence in the same manner. A record shall be prepared consisting of the pertinent ruling or rulings of the Director of the Unemployment Compensation Division, the motion for review by the Commission, a transcription of the testimony, and the documentary evidence and exhibits. This record will be transmitted to the Commission for consideration and determination. A copy of the transcript of testimony will be furnished to any party to the review.

D. The Commission shall give notice of at least seven days of a hearing to be held at its offices in Columbia for the purpose of receiving the oral or written arguments in the case. No further testimony or evidence will be received at this hearing and the Commission shall make its determination on the basis of the record submitted to it by the Appeals Referee or Field Deputy. A written decision will be issued by the Commission setting forth its findings of fact and conclusions of law in affirmation, modification, or reversal of the administrative ruling or rulings presented for review.

FORESTRY COMMISSION

Promulgated pursuant to Section 51-3, Code of Laws of S. C., 1962

(Filed in the office of the Secretary of State November 30, 1964)

1. **PERSONAL CONDUCT:** It shall be unlawful for any person or persons to conduct themselves in a disorderly manner of any kind. The consuming or displaying in public of any beverage of alcoholic content shall be considered disorderly conduct. State parks are quiet areas, and no noises shall be tolerated which result in the annoyance of others.

2. **STATE PROPERTY:** It shall be unlawful to destroy, injure. deface, remove or disturb in any way any state park building, sign, marker, fence, gate or other structure or equipment; or any tree, flower, vegetation, rock, mineral formation; or any animal, bird or wildlife. If the removal of noxious or poisonous growth is necessary, a park employee shall be notified.

3. **FIRES:** Building of fires is prohibited except at designated places in regular fireplaces, pits or stoves. No lighted match, cigarette, cigar, pipe heel or other burning material shall be thrown or dropped in any grass, leaves, twigs or other combustible material.

4. **SANITATION:** It shall be unlawful to dispose of any garbage, bottles, cans or other refuse or contaminating material other than by placing in receptacles provided for such purpose; except primitive camping

groups may receive special instructions from park superintendents. Comfort stations shall be used in a clean and sanitary manner. Pollution of the water supply, streams or lakes in a state park is prohibited.

5. **FIREARMS:** It shall be unlawful for any person or persons other than officers of the law to have in their possession or under their control any firearms, air guns, explosives. traps or nets with the exception of firearms which are unloaded both in barrels and magazines and duly sealed by an authorized park attendant or kept in a carrying case.

6. **DOGS AND CATS:** Dogs and cats running at large are prohibited in the parks. Dogs may be kept on short leash; except that no dogs or other pets are permitted in any building. Employees may be authorized by the director to keep dogs at their official residence.

7. **WILDLIFE:** State parks are wildlife sanctuaries. No person shall take, kill, hunt, pursue, disturb or molest any wild bird or animal at any time in any state park.

8. **PICNICKING:** Picnicking or eating of lunches shall be confined to buildings, structures, and areas provided as assigned by the superintendent or park official, and provided for such use. Refuse and litter shall be properly disposed of before leaving.

9. **SWIMMING:** Swimming within the state parks is prohibited.

10. **CHANGING OF CLOTHES:** Changing of clothes in toilets, automobiles or in any place within the state park other than a designated building is strictly prohibited.

11. **FISHING:** The laws of the State in regard to seasons, limits and methods of fishing shall be in force in the state parks. There shall be no bank fishing.

12. **VEHICLES:** The operation of motor vehicles in excess of the posted speed limits is prohibited. Motor vehicles shall not be operated on any but regular park roads provided for the purpose. Parking shall be limited to regularly designated areas provided for the purpose.

13. **BOATS:** Use of privately owned boats on lakes or streams within the state parks is prohibited, except upon written permit issued by the director. Motor boats are prohibited on all waters lying wholly within state park areas, except that electric motors may be used under written permit from the park superintendent.

14. **PRIVATE OPERATIONS AND ADVERTISEMENTS:** No person, association or corporation shall engage in or solicit any business within state parks except as authorized by a duly executed written agreement or permit. Private notices or advertisements shall not be posted, distributed, or displayed in any state park.

15. **HOURS OF OPERATION:** The use of the state parks shall be the daylight hours from 9:00 A. M. to 8:00 P. M., E.S.T., when the park gate shall be closed and locked. No individual or group may remain in the park past the closing hour except registered paying guests with written permit from the park superintendent, and except that parks may be closed temporarily during periods of high fire danger, in the event of an emergency, or for repairs.

The above rules and regulations supersede all prior regulations by the South Carolina State Commission of Forestry governing the protection and operation of the State Parks.

BOARD OF HEALTH

Promulgated under authority of Section 32-8 of the 1962 Code

Nursing Homes

(Filed in the office of the Secretary of State June 18, 1964)

Amendment number 2 to the minimum standards for licensing in South Carolina Nursing Homes and Institutional Nursing Infirmaries.

TO REPLACE "EXCEPTIONS" in SECTION 1502.

Exception: "Existing Institutions" and "Conversions": The fire resistive rating for buildings housing "existing institutions" and "conversions" shall be at least one hour; provided, however, this requirement shall not apply if one or more of the following conditions are met on or before July 1, 1965:

1. Equipped with a complete approved automatic sprinkler system.
2. Partitions and ceilings covered with materials that will provide a fire resistive rating of at least one hour, and equipped with an approved fire detection and alarm system.

TO BE ADDED TO THE DEFINITION OF (f) **"EXISTING INSTITUTIONS"**

. . . except for those institutions equipped with a complete automatic sprinkler system; or which have partitions and ceilings covered with materials that will provide a fire resistive rating of at least one hour and are equipped with an approved fire detection and alarm system.

TO REPLACE THE DEFINITION OF (h) **"CONVERSION".**

A "conversion" shall be defined as a building having a fire resistive rating of less than one hour, not over two stories in height which was converted for institutional purposes prior to May 14, 1964 to accommodate a maximum of 10 patients on the first floor.

Food Service Establishments

(Filed in the office of the Secretary of State September 17, 1964)

Rules and regulations governing food service establishments were approved September 16, 1964. They supersede those governing Eating and Drinking Establishments, filed in the office of the Secretary of State May 15, 1963.

Those interested should refer to the copy which is filed in the office of the Secretary of State.

Sewage Stabilization Ponds

(Filed in the office of the Secretary of State September 23, 1964)

SECTION 1. Definitions.

a. Stabilization Pond—Stabilization Ponds are relatively shallow basins built by excavation of the ground and/or diking, and are used for the purpose of treating raw, settled, intermediate, or secondary domestic sewage effluent by storage under conditions that favor natural biological activity and accompanying bacterial digestion, which reduces the waste to a stabilized state. The term stabilization pond, as herein used, is synonymous with the term oxidation pond or sewage lagoon.

b. Loading—A measure of the waste to which the pond is subjected, expressed as population equivalent or as pounds of five-day Bio-chemical Oxygen Demand per water surface acre per day. No pond shall have less than a 30-day theoretical detention period.

c. Freeboard—Freeboard refers to the portion of a dike or dam which is above the highest water surface.

SECTION 2. Minimum Design Factors.

a. Loading—Loadings shall conform to current Sanitary Engineering Division policy which may be obtained upon request.

b. Shape—The shape of ponds should be regular and essentially square or rectangular with rounded corners and no coves, peninsulas, or islands where floating material may accumulate.

c. Depth—The liquid maximum and minimum depths shall conform to current Sanitary Engineering Division policy. Provisions must be made to vary the working depth of the pond.

d. Inlets—The inlet shall be located at least one-half the shortest diameter of the pond away from the shoreline and in no instance nearer than one-half the longest diameter of the pond to the outlet structure. Invert of last manhole on the sewer line shall be above the highest operating level of the pond. Where there is gravity discharge to the pond, the line shall discharge to the pond through a 90° ell at a point below the lowest operating level to a splash block. Submerged pump lines to ponds shall have provisions to prevent any back-siphonage, in addition to the usual check valve and gate valve installation. All pump stations to be equipped with two pumps, and the discharge from pump lines shall be directed away from the surface so as to avoid surface turbulence. No wooden structures which come in contact with the sewage shall be allowed, and all metal surfaces in contact with the sewage shall be coated with a material to prevent rusting and corrosion. Effluents from primary stabilization ponds in a two or more pond series may be discharged to the shore line of the second pond. Design shall be based on a detention equal to or in excess of 30 days.

e. Outlets—The outlet structure shall be designed so as to provide for subsurface withdrawal. The design shall allow for variation in the working depth and necessary dewatering of the pond. The outlet structure shall be located at a point most distant from the inlet. The inside face shall be at least one foot from toe of dike and shall be accessible by means of a bridge.

f. Dikes—Dike must be relatively impervious and keyed to original ground surface where deemed necessary by engineer. Dike slopes shall not be less than three horizontal to one vertical and the top width shall be adequate for the travel of maintenance vehicles. Freeboard above the maximum depth water-line shall be not less than two feet nor more than four, depending on the size of the pond. Dikes shall be seeded above the water line with a satisfactory short stem, shallow rooted grass and well attended until growth is established.

g. Pond Bottom—The pond bottom shall be level and well compacted to avoid excessive seepage, and free of vegetation when the system is placed in operation.

h. Fencing—The site shall be completely fenced with a non-climbable, stock-tight fence. The fence shall be at least five feet in height with three strands of barbwire on top. A locked gate large enough to admit maintenance vehicles shall be provided. The fence shall be placed so as to aid in maintenance operations. Permanent signs containing the words "THIS IS A SEWAGE STABILIZATION POND—KEEP OUT" shall be placed on the fence.

i. Maximum hours of sunlight on the pond surface shall be provided, and removal of obstacles preventing air circulation over the pond surface is required.

j. Chlorination—In cases where discharge of the final effluent is to a watercourse with a classification justifying chlorination, this chlorination facility shall be shown, in detail, with the required equipment and detention period.

k. Access to the pond shall be provided without crossing land of others, unless right of access has been legally established, and must have roadway for use of maintenance equipment.

l. A basic effluent measuring device shall be provided.

SECTION 3. Location.

The location of a stabilization pond shall be such that sufficient isolation is obtained, or as far from residential and commercial developments as is reasonably practicable and economically feasible.

SECTION 4. Design By A Registered Engineer.

All stabilization ponds shall be designed by a Registered Engineer licensed by the State of South Carolina. Plans and specifications must be submitted to the State Board of Health for review and approval prior to construction, and shall then be constructed and initially operated under the engineer's supervision for such a period as determined by State Board of Health and Water Pollution Control Authority.

SECTION 5. Initial Operation.

Use of the stabilization pond shall follow an inspection by the State Board of Health and a letter of release for use issued. The pond shall be partially filled with fresh water or other arrangements made to insure an adequate liquid level during start up. At no time shall a pond containing waste be allowed to partially or completely dry up.

SECTION 6. Operation and Maintenance.

Where stabilization ponds are not to be operated and maintained by a municipality, or legally constituted sewer district, city, or other legally constituted sewage authority, the owner shall submit along with the plans a legal document establishing this responsibility for the permanent operation and maintenance of the complete sewerage facility (the approval of this document is a function of the S. C. Attorney General's office).

Grass referred to herein shall be regularly cut, and any erosion to the dikes, or damage to the fence, or other features, shall be immediately repaired. Particular attention shall be given to the prevention of marginal growth of weeds and aquatic growth.

This supersedes those filed in the office of the Secretary of State July 13, 1960.

Public Swimming Pools

(Filed in the office of the Secretary of State April 26, 1965)

Change the "Rules and Regulations Relating to Public Swimming Pools —State of South Carolina—September 1, 1962", as follows:

(1) Page 16, Paragraph 19, under Section A—Design and Construction,
(a) Add:

"19. f. Equipment Acceptance:

Any equipment manufactured for use in swimming pools and approved by the National Santitation Foundation Testing Laboratory, Inc., Ann Arbor, Michigan, will be acceptable under these rules and regulations."

(2) Page 29, under Section B—Operation:
(a) Add:

"14. Acceptable Chemicals.

Any chemicals acceptable to the National Sanitation Foundation's Advisory Committee for Swimming Pool Water Treatment, Chemicals and Processes will be acceptable to the S. C. State Board of Health."

INSURANCE COMMISSION

Uninsured Motorist Fund Distribution

Promulgated under authority of Sections 46-138.6 and 37-56 of the 1962 Code

(Filed in the office of the Secretary of State December 29, 1964)

It appears that all companies authorized to write automobile liability insurance contracts in this State have been requested to provide appropriate premium and loss statistics for the year 1963, and have been advised that any such company not reporting by September 1, 1964, will not be entitled to participate in the distribution of the South Carolina Uninsured Motorist Fund for 1963.

It further appears that all such companies have provided the statistics requested, or, by failure to provide such statistics, have waived participation in the distribution for the year 1963.

It further appears that the appropriate formulae for distribution consistent with the provisions and intent of Section 46-135, et seq., of the Code, is as follows:

Section 1. The fund distributable shall comprise an amount equal to the total amount of uninsured motorist fees provided for in Section 46-136 of the Code, less the amount provided for in Section 46-138.4(1) of the Code regarding costs and expenses for administration in the registration and licensing of uninsured motor vehicles, plus the balance remaining in the fund for prior years.

Section 2. The fund distributable shall be separated on the basis of total written premiums for private passenger writings and total written premiums for all other automobile liability writings.

Section 3. Distribution shall be made from the total "private passenger" distributable fund, pro-rata to participating companies on the

basis of company insured car years to the total of all companies insured car years.

Section 4. Distribution shall be made from the total "all other" distributable fund, pro-rata to the participating companies on the basis of company "all other" written premiums to the total of all companies "all other" written premiums.

Therefore, ditribution shall be made from the Uninsured Motorist Fund, in accordance with the above formulae.

State Fire Marshal

Promulgated under authority of Sections 37-82.1 and 37-82.7 of the 1962 Code

(Filed in the office of the Secretary of State February 2, 1965)

Places of Outdoor Assembly, Grandstands and Tents

I. Applicability of Pamphlet No. 102

The provisions of National Fire Protection Association Pamphlet No. 102 of 1957 shall constitute the minimum fire prevention and protection standards for the prevention of fire and for the protection of life and property with respect to places of outdoor assembly in connection with grandstands and tents. Those interested should refer to the copy filed in the office of the Secretary of State.

II. Scope and Purpose of Pamphlet No. 102

The scope and purpose of Pamphlet No. 102 is contained in Section 1-1 which provides, as follows:

"1-1. Scope and Purpose.

This standard covers the design, construction, location, maintenance, and use of grandstands, indoor or outdoor, including temporary, permanent, portable, or foldable stands, and of tents or other structures and premises for use or used as places of outdoor assembly. Its purpose is to specify reasonable requirements to safeguard persons and property in so far as it pertains to public safety."

III. Statutes, Provisions of Codes and Ordinances

No provision of Pamphlet No. 102 shall apply to the extent that it is in conflict with any statute of this State, any provision of any building or other code duly adopted by ordinance of a municipality or any duly adopted ordinance of any municipality. In the event of such a conflict, such statute, provision or ordinance shall apply in all respects.

IV. Prior Regulation

The regulation filed October 28, 1963, regarding Pamphlet No. 102 is hereby cancelled and superseded.

Building Exits

I. Applicability of Code

The provisions of the Building Exits Code for Life Safety from Fire, published by the National Fire Protection Association—NFPA No. 101-1963 shall constitute the minimum fire prevention and protection standards for the prevention of fire and for the protection of life and property with

respect to exits and related matters in connection with factories, asylums, hospitals, churches, schools, halls, theaters, amphitheaters, and all other buildings or structures in which numbers of persons work, live, or congregate from time to time for any purpose. Those interested should refer to the copy filed in the office of the Secretary of State.

II. Definitions

The word "exit," as used in this Regulation, is defined in paragraph 3001 of Section 30 of Chapter III of the Code as follows:

"3001. An exit, as referred to in this Code, shall be a way of departure from the interior of a building or structure to the open air outside at the ground level. It may comprise vertical and horizontal means of travel such as doorways, stairways, escalators, ramps, corridors, passageways and fire escapes, including all elements necessary for the purpose of emergency escape from the building or structure. An exit begins at any doorway or other point of access to an exit from which occupants may proceed to the exterior of the building or structure with reasonable safety.

"In case of a stairway, the exit includes the door to the stairway enclosure, stairs and landings inside the enclosure, the door from the stairway enclosure to the street or open air or any passageway and door necessary to provide a path of travel from the stairway enclosure to the street or open air. In case of a door leading directly from the street floor to the street or open air the exit comprises only the doorway.

"Doors of small individual rooms, as in hotels, while constituting means of escape from the room, are not referred to as exits except when they lead directly to the outside of the building or other place of safety, but in a large room, such as a school auditorium, the doors constitute an integral part of the exit system and are referred to as exits from the room. An interior aisle, corridor or hallway used to reach a stair or door exit is not an exit except where it is so located, arranged and enclosed as to constitute an integral part of a system of travel as described in the preceding paragraph."

III. Introduction to Code

The introduction to the Code provides, as follows:

"1. This Code deals with public safety from fire and like emergencies. It specifies the number, size and arrangement of exit facilities sufficient to permit prompt escape of occupants from buildings or structures in case of fire or other condition dangerous to life. It covers construction, protection and occupancy features to minimize danger to life from fire, smoke, fumes or panic before buildings are vacated. The Code recognizes that life safety is more than a matter of exits and accordingly deals with various matters besides exits which are considered essential to life safety, and, in some cases, specifies limits beyond which the hazard is so great that no practical amount of exits can give assurance of any reasonable safety.

"2. Absolute safety from fire is not practically attainable; the objective of this Code is to specify measures which will provide that degree

of public safety from fire which can be reasonably required. The Code endeavors to avoid requirements which might involve unreasonable hardships or unnecessary inconvenience or interference with normal use and occupancy of buildings, but insists upon compliance with minimum standards for fire safety necessary in the public interest, even though a financial hardship may be involved in some individual cases.

"3. This Code does not attempt to cover general fire prevention or building construction features such as are commonly dealt with in fire prevention codes and building codes, nor to protect the individual from the results of his own careless acts such as smoking in bed.

"4. Exits from vehicles, vessels or other mobile structures are not covered by this Code except that when in fixed locations and occupied as buildings they are treated as buildings in regard to exit requirements.

"5. Neither the prevention or accidental personal injuries during the course of normal occupancy of buildings, nor the preservation of property from loss by fire has been considered as the basis for any of the provisions of this Code, but many of the requirements of the Code will incidentally contribute towards these objectives.

"6. The Building Exits Code recognizes that panic in a burning building may be uncontrollable, but deals with the potential panic hazard through measures designed to prevent the development of panic. Experience indicates that panic seldom develops, even in the presence of potential danger, so long as occupants of buildings are moving towards exits which they can see within a reasonable distance with no obstructions or undue congestion in the path of travel. However, any uncertainty as to the location or adequacy of means of exit, the presence of smoke, or stoppage of exit travel, such as may occur when one person stumbles and falls on stairs, may be conducive to panic. Panic danger is greatest when there are numbers of people in a confined area.

"Scope and Applications.

"11. The official scope statement for the Building Exits Code is: 'This Code covers the construction, arrangement and use of exit facilities necessary to provide safe means of egress from structures, together with such features of construction and protection as have bearing on safety of egress.'

"12. This Code covers both new and existing construction. In various sections of the Code there are specific provisions for existing structures differing from those for new construction. Except in so far as specifically thus provided, all requirements of the Code apply to existing as well as to new construction.

"Basis.

"21. The provisions of this Code are based upon fires in which major loss of life has occurred over a long period of years, with an analysis of those features primarily responsible for fire fatalities, supplemented by studies of the conditions of occupancy of buildings and the manner of use of exit facilities, together with such test and research data as

have been available. Psychological as well as physical factors have been considered, as fire experience shows that many of the fire tragedies of history cannot be completely explained by physical factors alone. Details which have necessarily been established on a basis of engineering judgment in the absence of specific factual data have been checked in relation to actual fire experience, recognized architectural practice and long-existing legal requirements.

"22. The present text incorporates the same basic provisions that have appeared in previous editions, but with different editorial treatment. All of the text is subject to continuing study by the committee with a view to making further improvements in future editions."

IV. Statutes, provisions of other Codes, and Ordinances

No provision of the Code shall apply to the extent that it is in conflict with any statute of this State, any provision of any building or other code duly adopted by ordinance of a municipality or any duly adopted ordinance of any municipality. In the event of such a conflict, such statute, other provision or ordinance shall apply in all respects.

Proxies, Consents and Authorizations of Domestic Insurers

Promulgated under authority of Section 37-56 of the 1962 Code

(Filed in the office of the Secretary of State February 25, 1965)

Effective Date: The following regulation shall be effective on and after April 1, 1965.

Section 1 Application of Regulation—This regulation is applicable to all domestic insurers having one hundred or more stockholders; provided, however, that this regulation shall not apply to any insurer if ninety-five percent or more of its stock is owned or controlled by a parent or an affiliated insurer and the remaining shares are held by less than five hundred stockholders. A domestic insurer which files with the Securities and Exchange Commission forms of proxies, consents and authorizations complying with the requirements of the Securities and Exchange Act of nineteen hundred thirty-four and the Securities and Exchange Acts Amendments of nineteen hundred sixty-four and Regulation X-14 of the Securities and Exchange Commission promulgated thereunder shall be exempt from the provisions of this regulation.

Section 2 Proxies, Consents and Authorizations—No domestic insurer, or any director, officer or employee of such insurer subject to Section 1 hereof, or any other person, shall solicit, or permit the use of his name to solicit, by mail or otherwise, any proxy, consent, or authorization in respect of any stock of such insurer in contravention of this regulation and Schedules A and B hereto annexed and hereby made a part of this regulation.

Section 3 Disclosure of Equivalent Information—Unless proxies, consents, or authorizations in respect of a stock of a domestic insurer subject to Section 1 hereof are solicited by or on behalf of the management of such insurer from the holders of record of stock of such insurer in accordance with this regulation and the Schedules thereunder prior to any annual or other meeting, such insurer shall, in accordance with this regulation and/or such further regulations as the Commissioner may adopt, file with the

Commissioner and transmit to all stockholders of record information substantially equivalent to the information which would be required to be transmitted if a solicitation were made.

Section 4 Definitions

1. The definitions and instructions set out in Schedule SIS, as promulgated by the National Association of Insurance Commissioners, shall be applicable for purposes of this regulation.
2. The terms "solicit" and "solicitation" for purposes of this regulation shall include:
   (a) any request for a proxy, whether or not accompanied by or included in a form of proxy; or
   (b) any request to execute or not to execute, or to revoke, a proxy; or
   (c) the furnishing of a proxy or other communication to stockholders under circumstances reasonably calculated to result in the procurement, withholding or revocation of a proxy.
3. The terms "solicit" and "solicitation" shall not include:
   (a) any solicitation by a person in respect of stock of which he is the beneficial owner;
   (b) action by a broker or other person in respect to stock carried in his name or in the name of his nominee in forwarding to the beneficial owner of such stock soliciting material received from the company, or impartially instructing such beneficial owner to forward a proxy to the person, if any, to whom the beneficial owner desires to give a proxy, or impartially requesting instructions from the beneficial owner with respect to the authority to be conferred by the proxy and stating that a proxy will be given if the instructions are received by a certain date.
   (c) the furnishing of a form of proxy to a stockholder upon the unsolicited request of such stockholder, or the performance by any person of ministerial acts on behalf of a person soliciting a proxy.

Section 5 Information to be Furnished to Stockholders

1. No solicitation subject to this regulation shall be made unless each person solicited is concurrently furnished or has previously been furnished with a written proxy statement containing the information specified in Schedule A.
2. If the solicitation is made on behalf of the management of the insurer and relates to an annual meeting of stockholders at which directors are to be elected, each proxy statement furnished pursuant to subsection 1 hereof shall be accompanied or preceded by an annual report (in preliminary or final form) to such stockholders containing such financial statements for the last fiscal year as are referred to in Schedule SIS under the heading "Financial Reporting to Stockholders." Subject to the foregoing requirements with respect to financial statements, the annual report to stockholders may be in any form deemed suitable by the management.
3. Two copies of each report sent to the stockholders pursuant to this Section shall be mailed to the Commissioner not later than the date

on which such report is first sent or given to stockholders or the date on which preliminary copies of solicitation material are filed with the Commissioner pursuant to Subsection 1 of Section 7, whichever date is later.

Section 6 Requirements as to Proxy

1. The form of proxy (a) shall indicate in bold face type whether or not the proxy is solicited on behalf of the management, (b) shall provide a specifically designated blank space for dating the proxy and (c) shall identify clearly and impartially each matter or group of related matters intended to be acted upon, whether proposed by the management or stockholders. No reference need be made to proposals, as to which discretionary authority is conferred pursuant to Subsection 3 hereof.
2. Means shall be provided in the proxy for the person solicited to specify by ballot a choice between approval or disapproval of each matter or group of related matters referred to therein, other than elections to office. A proxy may confer discretionary authority with respect to matters as to which a choice is not so specified if the form of proxy states in bold face type how it is intended to vote the shares or authorization represented by the proxy in each such case.
3. A proxy may confer discretionary authority with respect to other matters which may come before the meeting, provided the persons on whose behalf the solicitation is made are not aware a reasonable time prior to the time the solicitation is made that any other matters are to be presented for action at the meeting and provided further that a specific statement to that effect is made in the proxy statement or in the form of proxy.
4. No proxy shall confer authority (a) to vote for the election of any person to any office for which a bona fide nominee is not named in the proxy statement, or (b) to vote at any annual meeting other than the next annual meeting (or any adjournment thereof) to be held after the date on which the proxy statement and form of proxy are first sent or given to stockholders.
5. The proxy statement or form of proxy shall provide, subject to reasonable, specified conditions, that the proxy will be voted and that where the person solicited specifies by means of ballot provided pursuant to Subsection 2 hereof a choice with respect to any matter to be acted upon, the vote will be in accordance with the specifications so made.
6. The information included in the proxy statement shall be clearly presented and the statements made shall be divided into groups according to subject matter, with appropriate headings. All printed proxy statements shall be clearly and legibly presented.

Section 7 Material Required to be Filed

1. Two preliminary copies of the proxy statement and form of proxy and other soliciting material to be furnished to stockholders concurrently therewith shall be filed with the Commissioner at least ten days prior to the date definitive copies of such material are first sent or given

to stockholders, or such shorter period prior to that date as the Commissioner may authorize upon a showing of good cause therefor.

2. Two preliminary copies of any additional soliciting material relating to the same meeting or subject matter to be furnished to stockholders subsequent to the proxy statements shall be filed with the Commissioner at least two days (exclusive of Saturdays, Sundays or holidays) prior to the date copies of this material are first sent or given to stockholders or a shorter period prior to such date as the Commissioner may authorize upon a showing of good cause therefor.
3. Two definitive copies of the proxy statement, form of proxy and all other soliciting material, in the form in which this material is furnished to stockholders, shall be filed with, or mailed for filing to, the Commissioner not later than the date such material is first sent or given to the stockholders.
4. Where any proxy statement, form of proxy or other material filed pursuant to these rules is amended or revised, two of the copies shall be marked to clearly show such changes and shall be so filed with the Commissioner as herein provided.
5. Copies of replies to inquiries from stockholders requesting further information and copies of communications which do no more than request that forms of proxy theretofore solicited be signed and returned need not be filed pursuant to this Section.
6. Notwithstanding the provisions of Subsections 1 and 2 hereof and of Subsection 5 of Section 10, copies of soliciting material in the form of speeches, press releases and radio or television scripts may, but need not, be filed with the Commissioner prior to use or publication. Definitive copies, however, shall be filed with or mailed for filing to the Commissioner as required by Subsection 3 hereof not later than the date such material is used or published. The provisions of Subsections 1 and 2 hereof and Subsection 5 of Section 10 shall apply, however, to any reprints or reproductions of all or any part of such material.

Section 8 False or Misleading Statements—No solicitation subject to this regulation shall be made by means of any proxy statement, form of proxy, notice of meeting, or other communication, written or oral, containing any statement which at the time and in the light of the circumstances under which it is made, is false or misleading with respect to any material fact, or which omits to state any material fact necessary in order to make the statements therein not false or misleading or necessary to correct any statement in any earlier communication with respect to the solicitation of a proxy for the same meeting or subject matter which has become false or misleading.

Section 9 Prohibition of Certain Solicitations—No person making a solicitation which is subject to this regulation shall solicit any undated or postdated proxy or any proxy whch provides that it shall be deemed to be dated as of any date subsequent to the date on which it is signed by the stockholder.

Section 10 Special Provisions Applicable to Election Contests

1. Applicability—This Section shall apply to any solicitation subject to this regulation by any person or group for the purpose of opposing a solicitation subject to this regulation by any other person or group with respect to the election or removal of directors at any annual or special meeting of stockholders.
2. Participant or Participant in a Solicitation
   (a) For purposes of this Section, the term "participant" and "participant in a solicitation" include: (i) the insurer; (ii) any director of the insurer, and any nominee for whose election as a director proxies are solicited; (iii) any other person, acting alone or with one or more other persons, committees or groups in organizing, directing or financing the solicitation.
   (b) For the purpose of this Section, the terms "participant" and "participant in a solicitation" do not include: (i) a bank, broker, or dealer who, in the ordinary course of business, lends money or executes orders for the purchase or sale of stock and who is not otherwise a participant; (ii) any person or organization retained or employed by a participant to solicit stockholders or any person who merely transmits proxy soliciting material or performs ministerial or clerical duties; (iii) any person employed in the capacity of attorney, accountant, or advertising, public relations or financial adviser, and whose activities are limited to the performance of his duties in the course of such employment; (iv) any person regularly employed as an officer or employee of the insurer or any of its subsidiaries or affiliates who is not otherwise a participant; or (v) any officer or director of, or any person regularly employed by any other participant, if such officer, director, or employee is not otherwise a participant.
3. Filing of Information Required by Schedule B
   (a) No solicitation subject to this Section shall be made by any person other than the management of an insurer unless at least five business days prior thereto, or such shorter period as the Commissioner may authorize upon a showing of good cause therefor, there has been filed with the Commissioner, by or on behalf of each participant in such solicitation, a statement in duplicate containing the information specified by Schedule B and a copy of any material proposed to be distributed to stockholders in furtherance of such solicitation. Where preliminary copies of any materials are filed, distribution to stockholders should be deferred until the Commissioner's comments have been received and complied with, or until fifteen days have elapsed, whichever shall first occur.
   (b) Within five business days after a solicitation subject to this Section is made by the management of an insurer, or such longer period as the Commissioner may authorize upon a showing of good cause therefor, there shall be filed with the Commissioner by or on behalf of each participant in such solicitation, other than the insurer, and by or on behalf of each management nominee for

director, a statement in duplicate containing the information specified by Schedule B.

(c) If any solicitation on behalf of management or any other person has been made, or if proxy material is ready for distribution, prior to a solicitation subject to this Section in opposition thereto, a statement in duplicate containing the information specified in Schedule B shall be filed with the Commissioner by or on behalf of each participant in such prior solicitation, other than the insurer, as soon as reasonably practicable after the commencement of the solicitation in opposition thereto.

(d) If, subsequent to the filing of the statements required by paragraphs (a), (b) and (c) of this Subsection, additional persons become participants in a solicitation subject to this rule, there shall be filed with the Commissioner, by or on behalf of each such person, a statement in duplicate containing the information specified by Schedule B, within three business days after such person becomes a participant, or such longer period as the Department may authorize upon a showing of good cause therefor.

(e) If any material change occurs in the facts reported in any statement filed by or on behalf of any participant, an appropriate amendment to such statement shall be filed promptly with the Commissioner.

(f) Each statement and amendment thereto filed pursuant to this paragraph shall be part of the public files of the Commissioner.

4. Solicitations Prior to Furnishing Required Written Proxy Statement—Notwithstanding the provisions of Subsection 1 of Section 5, a solicitation subject to this Section may be made prior to furnishing stockholders a written proxy statement containing the information specified in Schedule A with respect to such solicitation, provided that:

(a) The statements required by Subsection 3 hereof are filed by or on behalf of each participant in such solicitation.

(b) No form of proxy is furnished to stockholders prior to the time the written proxy statement required by Subsection 1 of Section 5 is furnished to such persons; provided, however, that this paragraph (b) shall not apply where a proxy statement then meeting the requirements of Schedule A has been furnished to stockholders.

(c) At least the information specified in paragraphs (b) and (c) of the statements required by Subsection 3 hereof to be filed by each participant, or an appropriate summary thereof, are included in each communication sent or given to stockholders in connection with the solicitation.

(d) A written proxy statement containing the information specified in Schedule A with respect to a solicitation is sent or given stockholders at the earliest practicable date.

5. Solicitations Prior to Furnishing Required Written Proxy Statement—Filing Requirements—Two copies of any soliciting material proposed to be sent or given to stockholders prior to the furnishing of the written proxy statement required by Subsection 1 of Section 5 shall

be filed with the Commissioner in preliminary form at least five business days prior to the date definitive copies of such material are first sent or given to such persons, or such shorter period as the Commissioner may authorize upon a showing of good cause therefor.

6. Application of This Section to Report—Notwithstanding the provisions of Subsections 2 and 3 of Section 5, two copies of any portion of the report referred to in Subsection 2 of Section 5 which comments upon or refers to any solicitation subject to this Section, or to any participant in any such solicitation, other than the solicitation by the management, shall be filed with the Commissioner in preliminary form at least five business days prior to the date copies of the report are first sent or given to stockholders.

SCHEDULE A

INFORMATION REQUIRED IN PROXY STATEMENT

Item 1. Revocability of Proxy—State whether or not the person giving the proxy has the power to revoke it. If the right of revocation before the proxy is exercised is limited or is subject to compliance with any formal procedure, briefly describe such limitation or procedure.

Item 2. Dissenters' Right of Appraisal—Outline briefly the rights of appraisal or similar rights of dissenting stockholders with respect to any matter to be acted upon and indicate any statutory procedure required to be followed by such stockholders in order to perfect their rights. Where such rights may be exercised only within a limited time after the date of the adoption of a proposal, the filing of a charter amendment, or other similar act, state whether the person solicited will be notified of such date.

Item 3. Persons Making Solicitations not Subject to Section 10

1. If the solicitation is made by the management of the insurer, so state. Give the name of any director of the insurer who has informed the management in writing that he intends to oppose any action intended to be taken by the management and indicate the action which he intends to oppose.
2. If the solicitation is made otherwise than by the management of the insurer, state the names and addresses of the persons by whom and on whose behalf it is made and the names and addresses of the persons by whom the cost of solicitation has been or will be borne, directly or indirectly.
3. If the solicitation is to be made by specially engaged employees or paid solicitors, state (a) the material features of any contract or arrangement for such solicitation and identify the parties, and (b) the cost or anticipated cost thereof.

Item 4. Interest of Certain Persons in Matters to be Acted Upon—Describe briefly any substantial interest, direct or indirect, by stockholders or otherwise, of any director, nominee for election for director, officer, and, if the solicitation is made otherwise than on behalf of management, each person on whose behalf the solicitation is made, in any matter to be acted upon other than elections to office.

Item 5. Stocks and Principal Stockholders

1. State, as to each class of voting stock of the insurer entitled to be voted at the meeting, the number of shares outstanding and the number of votes to which each class is entitled.
2. Give the date as of which the record list of stockholders entitled to vote at the meeting will be determined. If the right to vote is not limited to stockholders of record on that date, indicate the conditions under which other stockholders may be entitled to vote.
3. If action is to be taken with respect to the election of directors and if the persons solicited have cumulative voting rights, make a statement that they have such rights and state briefly the conditions precedent to the exercise thereof.

Item 6. Nominees and Directors—If action is to be taken with respect to the election of directors, furnish the following information in tabular form to the extent practicable, with respect to each person nominated for election as a director and each other person whose term of office as a director will continue after the meeting:

1. Name each such person, state when his term of office or the term of office for which he is a nominee will expire, and all other positions and offices with the insurer presently held by him, and indicate which persons are nominees for election as directors at the meeting.
2. State his present principal occupation or employment and give the name and principal business of any corporation or other organization in which such employment is carried on. Furnish similar information as to all of his principal occupations or employments during the last five years, unless he is now a director and was elected to his present term of office by a vote of stockholders at a meeting for which proxies were solicited under this regulation.
3. If he is or has previously been a director of the insurer, state the period or periods during which he has served as such.
4. State, as of the most recent practicable date, the approximate amount of each class of stock of the insurer or any of its parents, subsidiaries or affiliates other than directors' qualifying shares, beneficially owned directly or indirectly by him. If he is not the beneficial owner of any such stocks, make a statement to that effect.

Item 7. Remuneration and Other Transactions with Management and Others—Furnish the information reported or required in Item 1 of Schedule SIS under the heading "Information Regarding Management and Directors" if action is to be taken with respect to (a) the election of directors, (b) any remuneration plan, contract or arrangement in which any director, nominee for election as a director, or officer of the insurer will participate, (c) any pension or retirement plan in which any such person will participate, or (d) the granting or extension to any such person of any options, warrants or rights to purchase any stocks, other than warrants or rights issued to stockholders, as such, on a pro-rata basis. If the solicitation is made on behalf of persons other than the management, information shall be furnished only as to Item 1A of the aforesaid heading of Schedule SIS.

Item 8. Bonus, Profit Sharing and Other Remuneration Plans—If action is to be taken with respect to any bonus. profit sharing, or other remuneration plan, of the insurer furnish the following information:

1. A brief description of the material features of the plan, each class of persons who will participate therein, the approximate number of persons in each such class, and the basis of such participation.
2. The amounts which would have been distributable under the plan during the last calendar year to (a) each person named in Item 7 of this schedule, (b) directors and officers as a group, and (c) all other employees as a group, if the plan had been in effect.
3. If the plan to be acted upon may be amended (other than by a vote of stockholders) in a manner which would materially increase the cost thereof to the insurer or to materially alter the allocation of the benefits as between the groups specified in paragraph 2 of this item, the nature of such amendments should be specified.

Item 9. Pension and Retirement Plans—If action is to be taken with respect to any pension or retirement plan of the insurer, furnish the following information:

1. A brief description of the material features of the plan, each class of persons who will participate therein, the approximate number of persons in each such class, and the basis of such participation.
2. State (a) the approximate total amount necessary to fund the plan with respect to past services, the period over which such amount is to be paid, and the estimated annual payments necessary to pay the total amount over such period; (b) the estimated annual payment to be made with respect to current services; and (c) the amount of such annual payments to be made for the benefit of (i) each person named in Item 7 of this schedule, (ii) directors and officers as a group, and (iii) employees as a group.
3. If the plan to be acted upon may be amended (other than by a vote of stockholders) in a manner which would materially increase the cost thereof to the insurer or to materially alter the allocation of the benefits as between the groups specified in sub-paragraph 2 (c) of this Item, the nature of such amendments should be specified.

Item 10. Options, Warrants, or Rights—If action is to be taken with respect to the granting or extension of any options, warrants or rights (all referred to herein as "warrants") to purchase stock of the insurer or any subsidiary or affiliate, other than warrants issued to all stockholders on a pro-rata basis, furnish the following information:

1. The title and amount of stock called for or to be called for, the prices, expiration dates and other material conditions upon which the warrants may be exercised, the consideration received or to be received by the insurer, subsidiary or affiliate for the granting or extension of the warrants and the market value of the stock called for or to be called for by the warrants, as of the latest practicable date.
2. If known, state separately the amount of stock called for or to be called for by warrants received or to be received by the following persons, naming each such person: (a) each person named in Item 7

of this schedule, and (b) each other person who will be entitled to acquire five per cent of more of the stock called for or to be called for by such warrants.

3. If known, state also the total amount of stock called for or to be called for by such warrants, received or to be received by all directors and officers of the company as a group and all employees, without naming them.

Item 11. Authorization or Issuance of Stock

1. If action is to be taken with respect to the authorization or issuance of any stock of the insurer, furnish the title, amount and description of the stock to be authorized or issued.
2. If the shares of stock are other than additional shares of common stock of a class outstanding, furnish a brief summary of the following, if applicable: dividend, voting, liquidation, preemptive, and conversion rights, redemption and sinking fund provisions, interest rate and date of maturity.
3. If the shares of stock to be authorized or issued are other than additional shares of common stock of a class outstanding, the Commissioner may require financial statements comparable to those contained in the annual report.

Item 12. Mergers, Consolidations, Acquisitions and Similar Matters

1. If action is to be taken with respect to a merger, consolidation, acquisition, or similar matter, furnish in brief outline the following information:
   (a) The rights of appraisal or similar rights of dissenters with respect to any matters to be acted upon. Indicate any procedure required to be followed by dissenting stockholders in order to perfect such rights.
   (b) The material features of the plan or agreement.
   (c) The business done by the company to be acquired or whose assets are being acquired.
   (d) If available, the high and low sales prices for each quarterly period within two years.
   (e) The percentage of outstanding shares which must approve the transaction before it is consummated.
2. For each company involved in a merger, consolidation or acquisition, the following financial statements should be furnished:
   (a) A comparative balance sheet as of the close of the last two fiscal years.
   (b) A comparative statement of operating income and expenses for each of the last two fiscal years and, as a continuation of each statement, a statement of earning per share after related taxes and cash dividends paid per share.
   (c) A pro forma combined balance sheet and income and expenses statement for the last fiscal year giving effect to the necessary adjustments with respect to the resulting company.

Item 13. Restatement of Accounts—If action is to be taken with respect to the restatement of any asset, capital, or surplus of the insurer, furnish the following information:

1. State the nature of the restatement and the date as of which it is to be effective.
2. Outline briefly the reasons for the restatement and for the selection of the particular effective date.
3. State the name and amount of each account affected by the restatement and the effect of the restatement thereon.

Item 14. Matters not Required to be Submitted—If action is to be taken with respect to any matter which is not required to be submitted to a vote of stockholders, state the nature of such matter, the reason for submitting it to a vote of stockholders and what action is intended to be taken by the management in the event of a negative vote on the matter by the stockholders.

Item 15. Amendment of Charter, By-Laws, or Other Documents—If action is to be taken with respect to any amendment of the insurer's charter, by-laws or other documents as to which information is not required above, state briefly the reasons for and general effect of such amendment and the vote needed for its approval.

SCHEDULE B

INFORMATION TO BE INCLUDED IN STATEMENTS FILED BY OR ON BEHALF OF A PARTICIPANT (OTHER THAN THE INSURER) IN A PROXY SOLICITATION IN AN ELECTION CONTEST

Item 1. Insurer—State the name and address of the insurer.

Item 2. Identity and Background

1. State the following:
   (a) Your name and business address;
   (b) Your present principal occupation or employment and the name, principal business and address of any corporation or other organization in which such employment is carried on.
2. State the following:
   (a) Your residence address;
   (b) Information as to all material occupations, positions, offices or employments during the last ten years, giving starting and ending dates of each and the name, principal business and address of any business corporation or other business organization in which each such occupation, position, office or employment was carried on.
3. State whether or not you are or have been a participant in any other proxy contest involving this company or other companies within the past ten years. If so, identify the principals, the subject matter and your relationship to the parties and the outcome.
4. State whether or not, during the past ten years, you have been convicted in a criminal proceeding (excluding traffic violations or similar misdemeanors) and, if so, give dates, nature of conviction, name and location of court, and penalty imposed or other disposition of the case. A negative answer to this sub-item need not be included in the proxy statement or other proxy soliciting material.

Item 3. Interest in Stock of the Insurer

1. State the amount of each class of stock of the insurer which you own beneficially, directly or indirectly.
2. State the amount of each class of stock of the insurer which you own of record but not beneficially.
3. State with respect to the stock specified in 1 and 2 the amounts acquired within the past two years, the dates of acquisition and the amounts acquired on each date.
4. If any part of the purchase price or market value of any of the stock specified in paragraph 3 is represented by funds borrowed or otherwise obtained for the purpose of acquiring or holding such stock, so state and indicate the amount of the indebtedness as of the latest practicable date. If such funds were borrowed or obtained otherwise than pursuant to a margin account or bank loan in the regular course of business of a bank, broker or dealer, briefly describe the transaction and state the names of the parties.
5. State whether or not you are a party to any contracts, arrangements or understandings with any person with respect to any stock of the insurer, including but not limited to joint ventures, loan or option arrangements, puts or calls, guarantees against loss or guarantees of profits, division of losses or profits, or the giving or withholding of proxies. If so, name the persons with whom such contracts, arrangements, or understandings exist and give the details thereof.
6. State the amount of stock of the insurer owned beneficially, directly or indirectly, by each of your associates and the name and address of each such associate.
7. State the amount of each class of stock of any parent, subsidiary or affiliate of the insurer which you own beneficially, directly or indirectly.

Item 4. Further Matters

1. Describe the time and circumstances under which you became a participant in the solicitation and state the nature and extent of your activities or proposed activities as a participant.
2. Describe briefly, and where practicable state the approximate amount of, any material interest, direct or indirect, of yourself and of each of your associates in any material transactions since the beginning of the company's last fiscal year, or in any material proposed transactions, to which the company or any of its subsidiaries or affiliates was or is to be a party.
3. State whether or not you or any of your associates have any arrangement or understanding with any person
   (a) with respect to any future employment by the insurer or its subsidiaries or affiliates; or
   (b) with respect to any future transactions to which the insurer or any of its subsidiaries or affiliates will or may be a party.

   If so, describe such arrangement or understanding and state the names of the parties thereto.

Item 5. Signature—The statement shall be dated and signed in the following manner:

I certify that the statements made in this statement are true, complete, and correct to the best of my knowledge and belief.

Date	Signature of participant or authorized representative

Agent and Agency Licenses

Promulgated under authority of Section 37-56 of the 1962 Code

(Filed in the office of the Secretary of State June 4, 1965)

1. License required for each Agent and Agency

(a) **Agency:** Section 37-231.1. Each Agency as defined in Section 37-231.1 shall file an application for a license on a form distributed by the Department. This applies to each corporation, partnership and other organization in which more than one person has an interest or which operates under a trade name other than that of the individual licensed agent. The agency is required to submit the application to the Insurance Department and to pay the required fee; however, each insurer is required to notify all its agencies of their responsibility to file an agency application and pay the required fee. Only one license is required for each agency regardless of the number of insurers it represents, but all insurers then represented must be identified in the application.

(b) **Agent or Local Agent:** Sections 37-231, 233, 246 and 247. An Agent or Local Agent is a person who is authorized by an insurance company to represent it and to offer the public insurance contracts and attendant services that are performed incident to such insurance contracts. Every person who acts in the capacity of Agent or Local Agent, including each stockholder, officer, director, member, employee or associate of an Agency, performing any act of an agent as enumerated in Section 37-233, must be licensed for the particular kind of business transacted by such person, and for each insurer represented.

(c) **Non-Resident Agents:** Sections 37-246, 247 and 248. A non-resident cannot be licensed as an Agent to do business in this State unless (i) there is a reciprocal agreement between the Chief Insurance Commissioner and the insurance regulatory authority of the non-resident Agent's state of residence; (ii) the non-resident meets the minimum statutory requirements of this State for the issuance of such license including the written examination unless his State waives the examination requirement for South Carolina residents.

All business produced by the non-resident Agent must be written through a licensed resident Agent in view of the express provisions of Section 37-247, as amended in 1964. A licensed non-resident ordinary life Agent may solicit business in this State and share in the commissions on such business to the extent permitted by Section 37-254; however, in view of the provisions of Section 37-247, as amended in 1964, the company is not authorized to write such business unless it is written through one of its licensed Agents who is a resident of this State, and in such event, each policy,

except a life policy, must be personally countersigned by a licensed resident Agent. Violations of Section 37-247, as amended, are subject to the penalty provisions of Section 37-248.

(d) **General Agents, Special Agents and State Agents:** Sections 37-231 and 37-235.

"General Agent" defined:

(i) A General Agent is a person, firm, corporation or association of individuals acting in a particular territory defined by contract as a representative of insurance companies, who is clothed with authority to appoint and supervise Agents and Local Agents (sometimes called "Sub-agents") and to perform such management authority, usually done in company Home and Branch offices, as is delegated to him by the principal. All General Agents, whether domiciled in this State or elsewhere, who conduct the business of insurance in this State, shall be licensed for each insurer represented in the corporate name, trade name or individual name by which the General Agency operates.

A General Agent may employ one or more Special Agents or State Agents as hereinafter defined, and each such Special Agent or State Agent must be licensed to represent every insurer represented by his employer unless satisfactory evidence is presented to the Insurance Department that such person employed by a General Agent performs no service duties on behalf of all such insurers.

"Special Agent" defined:

(ii) A Special Agent is a person employed by an insurance company or by a General Agency to travel through a designated territory dealing with Agents and Local Agents to supervise and assist them in the proper discharge of their duties as agents. A non-resident may be licensed as a Special Agent.

"State Agent" defined:

(iii) A State Agent discharges the same duties as a Special Agent.

A non-resident may be licensed as a State Agent.

License related to acts and duties performed, not title of licensee:

(iv) The legal classification of a person, firm, corporation or association as a "General Agent" or any other type Agent, is not determined by agreement between such Agent and an insurer nor the method of compensating the Agent, but is determined by all facts surrounding the relationship between the two and the actual duties performed by the Agent. Persons characterized as "Managers" who at any time perform the duties of a General Agent, Special Agent or State Agent, must be licensed as General Agents, Special Agents or State Agents, as applicable.

2. **Annual Fees for Licenses:** Section 37-235.

Agency, $10; Agent or Local Agent, $10; General Agent, $25; Special Agent, $25 and State Agent, $25.

An Agent of a common carrier who sells only transportation ticket policies of accident and health insurance or baggage insurance on personal effects shall pay a license fee of $5.

3. Types of Licenses Issued:

The following classes of licenses shall be issued to individual agents, who must be licensed for each insurer represented:

(a) **General Licenses:**

i. Life
ii. Accident and Health
iii. Property
iv. Casualty

Provided that any agent who qualifies therefor shall be entitled to be licensed for any combination of the above General classes; provided further, that the holder of a General license is entitled to be licensed to transact the following classes of business hereinafter specified for holders of "Restricted" licenses:

1. A Life Agent to transact Industrial Life and Credit Life;
2. An Accident and Health Agent to transact Industrial Accident and Health and Credit Accident and Health;
3. A Property Agent to transact Credit Property, Automobile Physical Damage, Marine, Title, and Crop Hail;
4. A Casualty Agent to transact Automobile Liability and Marine.

(b) **Restricted Licenses:**

i. Industrial Life
ii. Industrial Accident and Health
iii. Industrial Fire
iv. Credit Life
v. Credit Accident and Health
vi. Credit Property
vii. Automobile Physical Damage
viii. Automobile Liability
ix. Marine
x. Title
xi. Crop Hail

4. Personal Qualifications Required:

Every person required by law to be licensed as an Agent or Local Agent must comply with the following minimum requirements:

(a) **Age**—Nineteen years, unless evidence of mature judgment and ability is presented.

(b) **Sponsorship**—Applicant must be sponsored by an insurer licensed in the State for class(es) of business for which the applicant is applying for license, such insurer to be held accountable for the accuracy of the certification of character and trustworthiness submitted by it in behalf of a new agent on the Personal Application Form distributed by the Insurance Department for such purpose. Information obtained from commercial reporting sources concerning character and reputation of an applicant must be retained for at least three years by the sponsoring insurer, and made available to the Insurance Department upon request.

(c) **Occupational Status**—Except as noted, every applicant must certify whether insurance sales or service work is to be a fulltime vocation, and if not, full particulars of other vocational or professional activities must be

submitted by letter. This requirement is not applicable to applicants for Restricted Licenses for Credit Life, Credit Accident and Health, Credit Property, Automobile Physical Damage, and Title.

(d) **Education or Training**—The sponsoring insurer must certify whether the applicant for a license has completed or is enrolled in an educational or training program approved by the Chief Insurance Commissioner. If the applicant is enrolled in an educational or training program on the date application is made, the sponsoring insurer will be required to notify the Insurance Department when the program has been completed or terminated short of completion. If the applicant is not enrolled in such a program, he will be required to certify that he has completed a minimum amount of home study from a list of nationally recognized textbooks on insurance subjects as promulgated by the Insurance Department, or substantially equivalent study material, before he will be permitted to take an examination. Such home study requirements shall be related as nearly as practical to the classes of insurance business for which the applicant seeks a license, and examinations will be compiled as nearly as practical from such basic study material and the insurance laws of South Carolina. Whenever an applicant studies texts or other material that is not contained on the list of approved Insurance Department texts and study material, and fails to pass the written examination, he shall be required to sustain the burden of satisfying the Chief Insurance Commissioner that such texts or material are substantially equivalent in content to the texts on the approved list before he may stand a second examination.

Every insurer which conducts an educational course or training program for its agents must file with the Chief Insurance Commissioner a resumé of the curriculum and instructor personnel or description of the training program, whereupon the Chief Insurance Commissioner shall approve such course or program as to intellectual content and training, or specify in writing why such course fails to meet the requirements of the Insurance Department for accreditation. For the purpose of this section, schools that are not operated by insurers may seek accreditation by filing with the Insurance Department information of the type specified for licensed insurers. In all instances accreditation will be based on the content of study material and listed qualifications (whether by education or experience) of instructors, as certified by the insurer or other person offering the course(s).

An applicant may qualify hereunder if he has satisfactorily completed one or more insurance courses in a college or university, or in residence or correspondence study in a formal educational or training program operated by an insurer or by any other person, prior to applying for a license, provided satisfactory evidence of such completion is submitted to the Chief Insurance Commissioner.

(e) **Successful Completion of Examination**—Except for Agents of common carriers described in paragraph 2(a) hereof, every applicant for a license as Local Agent or Agent must pass a written examination unless he holds a current, valid license to represent one or more insurers for the class(es) of business for which he seeks authority as agent; provided, however, that holders of General Licenses may qualify without examination to receive Restricted Licenses as provided by Section 3 hereof.

Examinations will be given in Columbia or at selected points in the State; the places, days, and times of which shall be announced from time to time by the Insurance Department.

An applicant for an Agent's license who fails the examination may stand a second examination, but no temporary license issued pursuant to Section 37-236 shall be extended beyond its stated expiration date because of the failure of the holder of such license to pass the written examination during the ninety day term of such temporary license.

An applicant who fails two examinations for the same class of license shall be ineligible to take a third examination within six months from the date of the second failure. In such event the applicant shall not be eligible to receive a second temporary license while preparing for a third examination unless he can qualify under Section 5(b) of this Regulation.

5. Temporary Licenses:

Temporary licenses shall be issued pursuant to Section 37-236, subject to the following conditions:

(a) **Need:** The sponsoring insurer and the applicant for a temporary license must demonstrate the need in writing for issuance of a temporary license.

(b) **License Period:** A temporary license is valid for a maximum period of ninety days. No person shall be eligible to receive a temporary license for the same class of insurance for which he formerly possessed a temporary license, either for the same insurer or another insurer, unless he can show that non-issuance of a permanent license during the time he held the first temporary license was the result of circumstances beyond his direction or control.

(c) **When privilege of insurers to obtain temporary licenses for agents to be withdrawn:** The discretionary authority of the Commissioner to issue temporary licenses will not be exercised as to any insurer which is found to be abusing this provision of this Regulation as a means to defeat the obvious purposes of Section 37-236 of the Code.

6. Prior Inconsistent Regulations Rescinded:

The following prior Regulations are withdrawn, and superseded by this Regulation:

(a) Regulation entitled "Agents, Brokers, and Adjusters Licensing Procedures," filed in the Office of the Secretary of State August 10, 1960, and August 21, 1960, except for paragraph 2 thereof.

(b) Regulation entitled "Reciprocal Agreement South Carolina/Georgia," filed in the Office of the Secretary of State January 3, 1962.

DEPARTMENT OF MENTAL HEALTH

Promulgated under authority of Section 32-924 of the 1962 Code

(Filed in the office of the Secretary of State June 9, 1964)

Power and Duties of State Commissioner of Mental Health

The South Carolina Mental Health Commission adopts the following regulation:

The State Commissioner of Mental Health is hereby authorized to serve as payee, in accordance with Social Security Administration Regulations,

for Social Security benefits that may be due patients or trainees in state mental health facilities, whenever suitable payees outside the institution cannot be found by the Social Security Administration.

STATE BOARD OF NURSING

Promulgated under authority of Section 56-967 of the 1962 Code
(Filed in the office of the Secretary of State June 22, 1965)

Practical Nurses

Rule and Regulation filed January 24, 1960 as Regulation Number 23 is amended by striking out the rule in its entirety by inserting in lieu thereof the following:

The Board will approve a course of study as being the equivalent of a course followed in an approved school for training practical nurses only when such course coincides in both practical and theoretical instruction with the course pursued in an approved program in practical nursing.

No credit can be given for a course taken by mail or for experience gained through employment.

BOARD OF EXAMINERS IN OPTOMETRY

Promulgated under authority of Section 56-1058 of the 1962 Code
(Filed in the office of the Secretary of State December 11, 1964)

Rules A, B, C and Q

On September 30, 1964 the South Carolina Board of Examiners in Optometry adopted the following Rule of Practice. Rule Q: This rule had previously been adopted by the South Carolina Optometric Association.

Rule Q: Since the supplying of physical means to aid the powers of vision constitutes the practice of optometry, optometrists are not permitted to supply copies of their patient's prescriptions to industry, directly or indirectly.

On October 29, 1964 the South Carolina Board of Examiners in Optometry adopted the following Rule, Rule A, for the Procedure for Opticians in South Carolina.

Rule A: Since the supplying of physical means to aid the powers of vision is regulated under Code of Laws of South Carolina, 1962, Sec. 56-1058, Vol. XI, Chapter 18, opticians are not permitted to supply to industry, directly or indirectly, prescriptions or copies prescriptions that they receive from Ophthalmologists or Optometrists.

On November 17, 1964 the South Carolina Board of Examiners in Optometry adopted the following Rule, Rule B, for the Procedure for Opticians in South Carolina.

Rule B: No optician individually shall have more than one branch establishment. No association of two or more opticians shall have more than two branch offices. A branch office may not be operated by an opti-

cian in the employ of the owner of the branch establishment and not a member of the partnership.*

On November 27, 1964 the South Carolina Board of Examiners in Optometry adopted the following Rule, Rule C, for the Procedure for Opticians in South Carolina.

Rule C: All licensed opticians in South Carolina, dealing direct with the public, shall operate under their own names (the names under which they are licensed as opticians), and shall be the sole owners and operators of their dispensing establishments. This rule shall not be construed to prevent a licensed optician from being employed by another licensed optician.*

STATE BOARD OF PHARMACEUTICAL EXAMINERS

Issued under authority of Sections 56-1302 and 56-1311.1 of the 1962 Code

(Filed in the office of the Secretary of State October 30, 1964)

Regulations covering the practice of pharmacy; the operation of drug stores and pharmacies; the compounding, dispensing and selling of drugs, medicines, poisons and physicians' prescriptions; the weights and measures used, and the sanitary conditions for prescription departments of drug stores and pharmacies.

Those interested should refer to the copy filed in the office of the Secretary of State.

PUBLIC SERVICE COMMISSION

Promulgated under authority of Section 58-1461 of the 1962 Code

ORDER NO. 12848—DOCKET NO. 12709

Leases and Subcontracts

(Filed in the office of the Secretary of State December 22, 1964)

Pursuant to notice, an informal conference was held August 26, 1964, and a public hearing held November 5, 1964, in the Commission's Offices in the Wade Hampton State Office Building, Columbia, South Carolina, in connection with proposed rules in above entitled matter.

From the testimony taken and facts presented, and after due consideration of the information submitted, it appears that rules and regulations governing leases and subcontracts by D, E and F Certificate holders should be adopted as follows: and, it further appears that the General Rules and Regulations Governing the Operation of Motor Vehicle Carriers in South Carolina should be amended by renumbering Section 9. Penalties and Cancellation to Section 10, and Rules 92 and 93 thereunder to Rules 102 and 103, respectively, and that a new Section 9. Leases and Subcontracts and Rules 92 through 101, thereunder, be inserted, so that Section 9 and Section 10 will then read:

* Rules B and C are adopted in order that the licensed optician may be readily identified; may assume his personal responsibility to the public for accurately filling prescriptions; and in the interest of the public health of spectacle wearers.

SECTION 9—LEASES AND SUBCONTRACTS

RULE 92. The term "the transportation of property for compensation" shall mean any agreement, lease, subcontract or other device by which property is transported over the public highways of the State of South Carolina and under which any person or persons other than a private carrier shall have any right to control, direct or dominate such shipment or under which, any person or persons, in substance, is engaged in the business of intrastate transportation of property and for which such person or persons shall receive payment in connection with the transportation of such property by a motor vehicle or for the use of a motor vehicle.

RULE 93. The term "private carrier" shall mean a person hauling his own products in his own motor vehicles or in motor vehicles which are leased in compliance with the terms of Rules Nos. 95 and 99.

RULE 94. The term "owner" shall include a person (1) to whom title to equipment has been issued, or (2) who as lessee, shall have the right to exclusive use of equipment, for a period longer than 30 days, or (3) who has lawful possession of equipment and has the same registered and licensed in any State or States or the District of Columbia in his or its name.

RULE 95. No lease or subcontract shall preclude the parties thereto from complying with the provisions of Title 58, Chapter 13 of the Code of Laws of South Carolina (1962) or from the Rules and Regulations adopted pursuant thereto unless, by the terms thereof, such lease or subcontract shall comply with the following provisions:

(a) Any lease shall transfer sole control, direction and domination of the motor vehicle and the shipment or shipments involved to a private carrier, or to a carrier certificated by this Commission, or by the Interstate Commerce Commission.

(b) Any subcontract shall provide for services beyond those ordinarily and normally performed by common or contract carriers.

RULE 96. The following factors shall be considered in determining whether sole control of a motor vehicle and the shipment or shipments involved have been transferred.

(a) **Supervision**—That person who, directly or indirectly, shall supervise or regulate the manner and method of shipment and the use of the motor vehicle or vehicles involved shall be presumed to have a right to control, direct or dominate such shipment.

(b) **Employment and compensation of drivers**—That person who, directly or indirectly, shall employ, discharge and/or compensate the drivers of any motor vehicle or vehicles, or who shall have the right to influence the employment or compensation thereof, shall be presumed to have a right to control, direct or dominate any shipments transported thereby, except, that this presumption will not apply in the case of a long-term lease entered into by a common carrier of mobile homes.

RULE 97. The following factors shall be considered in determining whether any person, in substance, is engaged in the business of intrastate transportation of property for compensation:

(a) **Method of Compensation**—It shall be presumed that a person is engaged in the business of intrastate transportation of property for compensation where the compensation for the use of any motor vehicle or the transportation of property thereby is payable, either directly or indirectly, on a product or cargo-unit transported mileage basis.

(b) **Type of Service Provided**—It shall be presumed that a person is in the business of intrastate transportation of property for compensation where the services provided are those ordinarily and normally provided by a common or contract carrier.

(c) **Method of Billing**—It shall be presumed that a person is in the business of intrastate transportation of property for compensation if billing for such transportation is issued in his name or on his billhead or if he collects payment for such transportation.

RULE 98. If any of the provisions of Rule 96 or Rule 97 create presumptions as specified therein, then the following additional factors shall be considered:

(a) **Insurance**—It shall be presumed that the party in whose name public liability and property damage and/or cargo insurance is issued on any motor vehicle shall have a right to control, direct or dominate such motor vehicle and/or any shipments transported by it.

(b) **Maintenance**—It shall be presumed that the party who has the obligation and duty to maintain any motor vehicle or vehicles shall have a right to control, direct or dominate such motor vehicle.

(c) **Number of Vehicles**—The amount and type of vehicle equipment, owned directly or indirectly, will be regarded as evidence of whether or not any person is engaged in the business of intrastate transportation of property for compensation. Any person owning in excess of five pieces of such equipment shall be persumed to be engaged in such transportation.

RULE 99. (a) No common or contract carrier may have more than one lease covering a specific piece of equipment in effect at a given time.

(b) No common or contract carrier shall lease vehicles to shippers or receivers.

(c) Each lessee shall properly identify each piece of equipment with appropriate external markings during the period of the lease as specified in these Rules.

(d) Every vehicle subject to lease shall be covered by adequate insurance as required by these Rules; such insurance shall be in the name of the lessee and evidence of coverage must be filed with the Commission.

(e) Any lease of motor vehicle equipment by any person shall comply with the following conditions:

(1) A copy of the lease must be carried in the leased equipment at all times; or an appropriate Certificate or card, the form of which has been approved by the Commission, signifying that the equipment is leased and referring to the date and location of the lease, may be carried in lieu of said lease.

(2) Every such lease, certificate, or card, shall identify each piece of equipment leased thereunder.

(3) Every such lease must be in writing and signed by the parties thereto or their regular employees or agents duly authorized to act for them.

(4) Every lease shall specify the time the lease begins and the time or circumstance on which it ends.

(5) Every lease shall set out the specific consideration or method of determining compensation.

(6) Every lease shall provide for the exclusive possession, control, and use of the equipment and for the complete assumption of responsibility in respect thereto by the lessee for the duration of said lease.

(7) Every such lease shall require for safety purposes, the inspection of the equipment involved at the time of surrender of possession thereof by the lessor and lessee jointly, or their agents.

RULE 100. A copy of all leases or subcontracts involving the intrastate use of a motor vehicle or vehicles in South Carolina shall be filed with this Commission within forty-eight (48) hours of the effective date thereof, where:

(a) The lessor, lessee or subcontractor is a common or contract carrier not domiciled in this State but is certificated by this Commission, the Interstate Commerce Commission or any other State Regulatory Body; or

(b) The lease or subcontract is by any person or persons not certificated as specified in (a) of this Rule and involves the use of five or more motor vehicles.

RULE 101. All common or contract carriers domiciled within the State of South Carolina shall for two years keep on file, at their principal place of business within the State, a copy of all leases or subcontracts involving equipment owned or used by them, except that if the period of such lease or subcontract is for longer than five days, a copy thereof shall be filed with this Commission within forty-eight (48) hours after the effective date thereof.

SECTION 10. PENALTIES AND CANCELLATION

RULE 102. Failure on the part of any owner, driver or operator of a motor vehicle to comply with any rules and regulations of the Commission or requirements of Acts of the General Assembly of South Carolina now or hereafter in force, will be sufficient cause for the Commission, in its discretion, to revoke his certificate, or permit.

RULE 103. The foregoing rules and regulations are for general application, and are subject to such changes and modification as the Commission, from time to time may determine advisable and also such exceptions as may be considered by the Commission as just and reasonable in individual cases.

This Order and the above rules and regulations shall become effective January 1, 1965.

SOUTH CAROLINA RETIREMENT SYSTEM

Class Two Employers

Revision of Contribution Rates

Promulgated under authority of Section 61-82 of the 1962 Code

(Filed in the office of the Secretary of State June 9, 1964)

Section 61-82 authorizes the Board to establish such rules as it may deem necessary and equitable to all Class Two employers in connection with a revision in their contribution rates effective July 1, 1964.

The contribution rate payable by the State shall be as follows, for the fiscal years indicated:

For the fiscal year 1964-65 ..... 5.60 per cent
For the fiscal year 1965-66 ..... 6.80 per cent
For the fiscal year 1966-67 ..... 7.50 per cent

The contribution rate payable by other Class Two employers shall be as follows, for the fiscal years indicated:

For the fiscal year 1964-65 ..... 4.50 per cent
For the fiscal year 1965-66 ..... 5.50 per cent
For the fiscal year 1966-67 ..... 6.50 per cent

Promulgated under authority of Section 61-15 of the 1962 Code

(Filed in the office of the Secretary of State June 9, 1964)

Section 61-15 authorizes the Board to adopt for the Retirement System such mortality, service and other tables as shall be deemed necessary.

The Board hereby adopts the following Table 18 as the official mortality table of the System for use from and after July 1, 1964, for the purpose of computing early retirement and option factors; provided that, in case of disability retirement, the age of the member shall be taken as five years greater than the actual age; and further provided that the annuity values based on Tables 10 through 15, adopted by the Board on February 18, 1946, shall be continued in use for and only for the purpose of computing retirement benefits under the matching formula with respect to members whose benefits are computed as Class One benefits.

Table 18

MORTALITY TABLE FOR PENSIONERS AND BENEFICIARIES UNDER OPTIONS

WOMEN

Age	Living	Dying	Age	Living	Dying
13	1,000,000	3,581	21	971,282	3,618
14	996,419	3,581	22	967,664	3,631
15	992,838	3,585	23	964,033	3,646
16	989,253	3,581	24	960,387	3,664
17	985,672	3,588	25	956,723	3,683
18	982,084	3,594	26	953,040	3,706
19	978,490	3,599	27	949,334	3,732
20	974,891	3,609	28	945,602	3,761

Table 18—Continued

MORTALITY TABLE FOR PENSIONERS AND BENEFICIARIES UNDER OPTIONS

WOMEN

Age	Living	Dying	Age	Living	Dying
29	941,841	3,794	72	594,889	19,908
30	938,047	3,831	73	574,981	20,878
31	934,216	3,873	74	554,103	21,844
32	930,343	3,920	75	532,259	22,795
33	926,423	3,972	76	509,464	23,710
34	922,451	4,028	77	485,754	24,579
35	918,423	4,093	78	461,175	25,378
36	914,330	4,164	79	435,797	26,087
37	910,166	4,242	80	409,710	26,685
38	905,924	4,329	81	383,025	27,147
39	901,595	4,422	82	355,878	27,451
40	897,173	4,528	83	328,427	27,571
41	892,645	4,641	84	300,856	27,488
42	888,004	4,767	85	273,368	27,180
43	883,237	4,907	86	246,188	26,633
44	878,330	5,056	87	219,555	25,837
45	873,274	5,222	88	193,718	24,794
46	868,052	5,403	89	168,924	23,505
47	862,649	5,599	90	145,419	21,989
48	857,050	5,814	91	123,430	20,274
49	851,236	6,048	92	103,156	18,396
50	845,188	6,303	93	84,760	16,400
51	838,885	6,581	94	68,360	14,340
52	832,304	6,880	95	54,020	12,278
53	825,424	7,206	96	41,742	10,269
54	818,218	7,558	97	31,473	8,372
55	810,660	7,941	98	23,101	6,638
56	802,719	8,352	99	16,463	5,105
57	794,367	8,797	100	11,358	3,794
58	785,570	9,275	101	7,564	2,719
59	776,295	9,789	102	4,845	1,871
60	766,506	10,339	103	2,974	1,232
61	756,167	10,928	104	1,742	773
62	745,239	11,557	105	969	459
63	733,682	12,225	106	510	258
64	721,457	12,935	107	252	136
65	708,522	13,685	108	116	66
66	694,837	14,475	109	50	30
67	680,362	15,303	110	20	13
68	665,059	16,168	111	7	5
69	648,891	17,067	112	2	1
70	631,824	17,993	113	1	1
71	613,831	18,942			

TAX COMMISSION

Sales and Use Tax

Promulgated under authority of Section 65-1443 of the 1962 Code

(Filed in the office of the Secretary of State July 9, 1964)

Regulation No. 37, as amended. Pertaining to exemption from the tax on sales of motor vehicles, trailers, semi-trailers and pole trailers for immediate transportation and use outside of South Carolina.

Regulation No. 37 adopted by the South Carolina Tax Commission and filed in the office of the Secretary of State of South Carolina on May 29, 1963 is hereby amended by striking it out and inserting in lieu thereof the following, which shall be known as Regulation No. 37, as amended.

In order to be exempt from Sales and/or Use Tax on the sale of a motor vehicle, trailer, semi-trailer or pole trailer as provided for by Act 1074, Acts and Joint Resolutions for South Carolina 1964, approved May 25, 1964, the seller of such property shall obtain an affidavit from the purchaser, which affidavit shall provide for the name of the purchaser, his state of residence and address, the state in which the motor vehicle, trailer, semi-trailer or pole trailer is to be registered and used, the name of the seller, the retail license number of the seller, the date of the purchase of the property, its make, model, year, serial and motor number, if any, the sales price, any trade-in allowance given, the net amount paid and whether or not the equipment is new or used.

For the purposes of this statute a motor vehicle, trailer, semi-trailer or pole trailer must be of a type such as is customarily licensed and registered for general use on the highways of South Carolina, and the following definitions shall apply:

1. Motor Vehicle: Every vehicle which is self-propelled and customarily used on South Carolina highways, provided however, that the term shall not include self-propelled motor vehicles not designed or used primarily for the transportation of persons or pay-load property and incidentally operated or moved over the highways, including farm tractors, road construction and maintenance machinery, ditch-digging apparatus, truck cranes or mobile shovel cranes, and similar vehicles, this enumeration to be deemed partial and not to operate to exclude other such vehicles which are within the general terms of this definition;

2. Trailer: Every vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle;

3. Semi-trailer: Every vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle;

4. Pole Trailer: Every vehicle without motive power designed to be drawn by another vehicle and attached to the towing vehicle by means

of a reach or pole or by being boomed or otherwise secured to the towing vehicle and ordinarily used for transporting long or irregularly shaped loads such as poles, pipes or structural members capable, generally, of sustaining themselves as beams between the supporting connections.

Subject to the tax when delivered to the purchaser in South Carolina are:

1. Every trailer or semi-trailer (commonly referred to as "house trailer" or "mobile home") which is designed, constructed and equipped as a dwelling, living abode, or sleeping place, either permanently or temporarily, and is equipped for use as a conveyance on streets or highways; and

2. A trailer or semi-trailer similar to number 1 hereinabove whose chassis and exterior shell is designed and constructed for use either permanently or temporarily for advertising, sales, display or promotion of merchandise or services or for any other commercial purpose **except the transportation of property for hire;**

3. Semi-trailers and pole trailers weighing less than 500 pounds, with a capacity of less than 1000 pounds;

4. Trailers and semi-trailers weighing 1500 pounds or less and with a load capacity not exceeding 2500 pounds **and** which are designed, adapted and used **exclusively** for agriculture, horticulture **or** for the carrying of an implement of husbandry;

5. All other trailers, semi-trailers and pole trailers not required to be registered and licensed for use on South Carolina highways.

The affidavit shall be in three parts, the original to be retained by the seller with the invoice. The second copy must be attached to the sales or use tax return of the seller for the period in which the sale is made, and must be received by the Commission within the period provided by law, that being on or before the 20th day of the month next succeeding the period covered by the return. The third copy is furnished to the purchaser. The gross sales of motor vehicles so exempt must be indicated separately on the reverse side of the sales and/or use tax return and substantiated by the attached affidavits of purchasers.

The term "immediate transportation" is deemed to be a period within ten (10) days from the date of sale.

The term "use in another state" means the vehicle is not to be frequently used in South Carolina.

Effective May 25, 1964.

Alcoholic Liquors

REGULATION NO. 18

Promulgated under authority of Section 4-6 of the 1962 Code

(Filed in the office of the Secretary of State September 17, 1964)

Regulation No. 18. Void. Repealed by action of the South Carolina Tax Commission dated September 16, 1964.

Beer and Wine

REGULATION NO. 14

Promulgated under authority of Section 4-230.1 of the 1962 Code

(Filed in the office of the Secretary of State November 12, 1964)

No beer and wine wholesaler shall give any beer, wine or anything of value to induce the purchase of beer and wine. Invoices from wholesalers to retailers must show actual quantity delivered and price charged.

Income Tax

REGULATION NO. 8
PERTAINING TO INSTALLMENT SALES

Promulgated under authority of Section 65-207 of the 1962 Code

(Filed in the office of the Secretary of State March 29, 1965)

Regulation No. 2 of the South Carolina Tax Commission relating to Income Taxes, more specifically pertaining to installment sales, adopted July 13, 1961, and filed and recorded with the Secretary of State July 17, 1961, is hereby repealed.

WATER POLLUTION CONTROL AUTHORITY

Promulgated under authority of Sections 70-101 through 70-139 of the 1962 Code

Stream Classifications

(Filed in the office of the Secretary of State September 25, 1964)

(The public hearing as required by law prior to the classification and/or reclassification of streams was held in Anderson, South Carolina, August 14, 1964.)

This action is based on the following finding of fact made by the Authority after consideration of the transcript of public hearing held by the South Carolina Water Pollution Control Authority in Anderson, South Carolina, August 14, 1964:

1. That Little Generostee Creek and tributaries in Anderson County, South Carolina, are not presently classified.
2. That representatives of local residents testified that waters of these streams are presently used for agricultural purposes and would continue to be so used.
3. That representatives of local residents testified that water qualities specified for Class C streams would be adequate for their use.
4. That analyses performed by the staff of the South Carolina Water Pollution Control Authority show that these streams meet the Class C specifications.
5. That based on these we therefore find the proper classification of Little Generostee Creek and tributaries from the headwaters to its junction with the Savannah River to be Class C.

(Filed in the office of the Secretary of State September 25, 1964)

(The public hearing as required by law prior to the classification and/or reclassification of streams was held in Marion, South Carolina, July 17, 1964.)

This action is based on the following finding of fact made by the Authority after consideration of the transcript of public hearing held by the South Carolina Water Pollution Control Authority in Marion, South Carolina, July 17, 1964:

1. That Catfish Creek and tributaries, also known as Catfish Canal and tributaries throughout Marion County are presently classified at Level C.
2. That testimony of local residents familiar with this area shows that Catfish Creek and tributary are in fact swamp streams.
3. That analyses performed by the technical staff of the South Carolina Water Pollution Control Authority show that these streams meet the quality standards for swamp streams.
4. That based on these facts we therefore find the proper classification of Catfish Creek and tributaries (Catfish Canal and tributaries) in Marion County, South Carolina, from its headwaters to its junction with the Great Pee Dee River to be Class C Swamp.

(This supersedes the classification applied to Catfish Creek and tributaries in Marion County adopted by the Authority on May 23, 1956, and filed with the Secretary of State on June 8, 1956.)

(Filed in the office of the Secretary of State May 26, 1965)

(The public hearing as required by law prior to the classification and/or reclassification of streams was held in Hartsville, South Carolina, April 19, 1965.)

This action is based on the following finding of fact made by the Authority after consideration of the transcript of public hearing held by the South Carolina Water Pollution Control Authority in Hartsville, South Carolina, April 19, 1965:

1. THAT Cedar Creek and tributaries, from their headwaters in Chesterfield and Darlington Counties downstream to the junction with the Pee Dee River on the Chesterfield-Darlington County line are presently unclassified.
2. THAT testimony at the hearing indicated that interested local residents desired that these waters be placed in Class B.
3. THAT analyses performed by the technical staff of the South Carolina Water Pollution Control Authority show that these streams meet the quality standards for Class B waters.
4. THAT no opposition to this proposal was expressed at the hearing.
5. THAT based on these facts we therefore find the proper classification of Cedar Creek and Tributaries in Darlington and Chesterfield Counties from their headwaters downstream to their junction with the Pee Dee River to be Class B.

SOUTH CAROLINA WILDLIFE RESOURCES DEPARTMENT

Division of Boating

Promulgated under authority of Section 70-295.2 of the 1962 Code

Lights

(Filed in the office of the Secretary of State June 5, 1964)

Every vessel propelled by machinery of any description or horsepower shall have a light aboard to be displayed at all times the vessel is in operation between official sunset and sunrise. The light must be white and visible for 32 Pts. (360°) all around the horizon so that it can be seen by another vessel approaching from any direction.

That except as modified or changed hereby, all prevailing laws, rules and regulations concerning boating in South Carolina shall remain in full force and effect.

Renewal of Certificates of Numbers

(Filed in the office of the Secretary of State April 29, 1965)

1. Certificates of Number are void after the dates of expiration thereon.

2. A number not renewed as prescribed by 1962 South Carolina Code of Laws, Section 70-295.27, may be renewed after the expiration date of the Certificate of Number: **Provided,** that the renewal application is received within one year from the date of expiration as shown on the Certificate of Number.

3. Each renewal Certificate of Number shall be valid for a period ending three years from the date of expiration of the certificate renewed.

4. A renewal application received more than a year after the date of expiration of the Certificate of Number shall be treated in the same manner as an application for an original number.

5. Except as modified or changed hereby, all prevailing laws, rules and regulations concerning boating in South Carolina shall remain in full force and effect.

Division of Game

Ruffed Grouse Season

Promulgated under authority of Section 28-4.1 of the 1962 Code and Act 911 of 1964

(Filed in the office of the Secretary of State October 21, 1964)

The Wildlife Resources Commission hereby sets a season for the shooting of ruffed grouse in Game Zone One from Thanksgiving Day of 1964 to January 2 of 1965, both dates inclusive. Daily and possession limits will be three.

Hunting Doe Deer in Certain Counties

Promulgated under authority of Section 28-4.1 of the 1962 Code and Act 142 of 1963

(Filed in the office of the Secretary of State October 26, 1964)

The Director hereby declares a one-day season—November 7 only—for the shooting of doe deer in the counties of Beaufort, Hampton, Jasper,

Colleton, Dorchester and Williamsburg. Each hunter may bag only one doe deer and all kills must be reported immediately to a game warden or other Department personnel.

Taking Gizzard Shad and Herring in Certain Waters

Promulgated under authority of Section 28-1214 of the 1962 Code

(Filed in the office of the Secretary of State June 1, 1965)

The taking of gizzard shad and herring in Lake Marion, Lake Moultrie and the Diversion Canal shall be during daylight hours only for use as bait. These fish may be taken by dip nets, the rim not to be more than six feet in diameter. The limit shall be one hundred pounds per day, per boat or conveyance.

Further, that gizzard shad and herring may be taken in the Tail Canal at Moncks Corner during daylight hours only, for use as bait. These fish may be taken by dip nets, the rim of which may not be more than six feet in diameter. The limit shall be three hundred pounds per day, per boat or conveyance, or in possession.

Division of Commercial Fisheries

Promulgated under authority of Section 28-174 of the 1962 Code

(Filed in the office of the Secretary of State February 21, 1965)

Tags on Submerged Traps

All submerged traps licensed under Section 28-935 (3) shall have affixed to the trap a tag showing the number of the license issued for such trap. An untagged trap is subject to confiscation.

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